

STATE OF MINNESOTA

EIGHTY-FIRST SESSION — 1999

 FORTY-FIFTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, APRIL 16, 1999

The House of Representatives convened at 12:30 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Representative Gary Kubly, District 15B, Granite Falls, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dorn	Howes	Mahoney	Paymar	Tingelstad
Abrams	Entenza	Huntley	Mares	Pelowski	Tomassoni
Anderson, B.	Erhardt	Jaros	Mariani	Peterson	Trimble
Anderson, I.	Erickson	Jennings	Marko	Pugh	Tuma
Bakk	Finseth	Johnson	McCollum	Rest	Tunheim
Biernat	Folliard	Juhnke	McElroy	Reuter	Van Dellen
Bishop	Fuller	Kahn	McGuire	Rhodes	Vandever
Boudreau	Gerlach	Kalis	Milbert	Rifenberg	Wagenius
Bradley	Gleason	Kelliher	Molnau	Rostberg	Wejzman
Broecker	Goodno	Kielkucki	Mulder	Rukavina	Wenzel
Buesgens	Gray	Knoblach	Mullery	Schumacher	Westerberg
Carlson	Greenfield	Koskinen	Murphy	Seagren	Westfall
Carruthers	Greiling	Krinkie	Ness	Seifert, J.	Westrom
Cassell	Gunther	Kubly	Nornes	Seifert, M.	Wilkin
Chaudhary	Haake	Kuisle	Olson	Skoe	Winter
Clark, J.	Haas	Larsen, P.	Opatz	Skoglund	Wolf
Clark, K.	Hackbarth	Larson, D.	Orfield	Smith	Workman
Daggett	Harder	Leighton	Osskopp	Solberg	Spk. Sviggum
Davids	Hasskamp	Lenczewski	Osthoff	Stanek	
Dawkins	Hausman	Leppik	Otremba	Stang	
Dehler	Hilty	Lieder	Ozment	Storm	
Dempsey	Holberg	Lindner	Paulsen	Swenson	
Dorman	Holsten	Luther	Pawlenty	Sykora	

A quorum was present.

Munger was excused until 1:40 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Hackbarth moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 807 and H. F. No. 802, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Bradley moved that the rules be so far suspended that S. F. No. 807 be substituted for H. F. No. 802 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1204 and H. F. No. 853, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Rostberg moved that the rules be so far suspended that S. F. No. 1204 be substituted for H. F. No. 853 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1645 and H. F. No. 1641, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Juhnke moved that the rules be so far suspended that S. F. No. 1645 be substituted for H. F. No. 1641 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1715 and H. F. No. 1564, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Entenza moved that the rules be so far suspended that S. F. No. 1715 be substituted for H. F. No. 1564 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 15, 1999

The Honorable Steve Sviggum
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Sviggum:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 1565, relating to the military; expanding eligibility for certain state service.

H. F. No. 1556, relating to state government; extending the civil service pilot project in the housing finance agency.

H. F. No. 525, relating to Anoka county; providing for city administration of the dangerous dog registration system.

H. F. No. 240, relating to sheriffs; authorizing sheriffs to expend money from the sheriff's contingent fund for investigating DWI-related violations.

H. F. No. 216, relating to corrections; clarifying the law authorizing transfer of prisoners between jails and workhouses.

H. F. No. 614, relating to health; expanding the reserve corridor for community integrated service networks; modifying the definition of review organization.

H. F. No. 583, relating to insurance; regulating investments by township mutual insurance companies.

H. F. No. 1066, relating to insurance; township mutual insurance companies; regulating the territories of operation.

H. F. No. 1660, relating to health occupations; exempting persons employed by a nonprofit organization performing duties that are incidental to research from the unlawful practice of medicine.

H. F. No. 1216, relating to occupations and professions; modifying practical examination requirements for chiropractors licensed in other states.

Sincerely,

JESSE VENTURA
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1999 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 1999</i>	<i>Date Filed 1999</i>
	1565	46	11:05 a.m. April 15	April 15
	1556	47	10:44 a.m. April 15	April 15
	525	48	11:08 a.m. April 15	April 15

	240	49	11:10 a.m. April 15	April 15
	216	50	11:13 a.m. April 15	April 15
	614	51	10:45 a.m. April 15	April 15
	583	52	10:56 a.m. April 15	April 15
	1066	53	10:57 a.m. April 15	April 15
	1660	54	10:47 a.m. April 15	April 15
	1216	55	10:49 a.m. April 15	April 15
1173		56	10:59 a.m. April 15	April 15
803		57	11:03 a.m. April 15	April 15
984		58	10:50 a.m. April 15	April 15
836		59	10:53 a.m. April 15	April 15

Sincerely,

MARY KIFFMEYER
Secretary of State

REPORTS OF STANDING COMMITTEES

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 589, A bill for an act relating to retirement; various statewide and local pension plans; providing special benefit coverage for privatized employees of the Luverne public hospital and the Waconia Ridgeview medical center; providing an ad hoc postretirement adjustment to Eveleth police and fire trust fund benefit recipients; establishing an additional postretirement adjustment for the Fairmont police relief association; extending survivor benefit provisions to include certain Fairmont police relief association survivors; providing a special ad hoc postretirement adjustment to certain retired St. Cloud police officers; authorizing the purchase of credit for certain periods of prior military service, out-of-state public school teaching service, maternity leaves, maternity breaks in employment, parochial and private school teaching service, Peace Corps service, VISTA service, and charter school teaching service; authorizing service credit purchases by certain plan members; authorizing the designation of a supplemental needs trust as an optional annuity form beneficiary; repealing the 30-year service maximum for monthly benefit volunteer firefighter relief associations; amending Minnesota Statutes 1998, section 356.55, subdivisions 1 and 6; Laws 1977, chapter 61, section 6, as amended; proposing coding for new law in Minnesota Statutes, chapters 354; 354A; and 356; repealing Minnesota Statutes 1998, section 424A.02, subdivision 5; Laws 1998, chapter 390, article 1, section 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 879, A bill for an act relating to governmental operations; providing for regulatory relief for local units of government; proposing coding for new law in Minnesota Statutes, chapter 14.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1077, A bill for an act relating to retirement; various statewide and local pension plans; providing special benefit coverage for privatized employees of the Luverne public hospital and the Waconia Ridgeview medical center; providing an ad hoc postretirement adjustment to Eveleth police and fire trust fund benefit recipients; establishing an additional postretirement adjustment for the Fairmont police relief association; extending survivor benefit provisions to include certain Fairmont police relief association survivors; providing a special ad hoc postretirement adjustment to certain retired St. Cloud police officers; authorizing the purchase of credit for certain periods of prior military service, out-of-state public school teaching service, maternity leaves, maternity breaks in employment, parochial and private school teaching service, Peace Corps service, VISTA service, and charter school teaching service; authorizing service credit purchases by certain plan members; authorizing the designation of a supplemental needs trust as an optional annuity form beneficiary; repealing the 30-year service maximum for monthly benefit volunteer firefighter relief associations; providing special benefit coverage for privatized Glencoe area health center employees; modifying governance provisions for the Minneapolis fire department relief association and the Minneapolis police relief association; permitting the purchase of service credit by various school district employees; amending Minnesota Statutes 1998, sections 356.55, subdivisions 1 and 6; and 423B.07; Laws 1977, chapter 61, section 6, as amended; proposing coding for new law in Minnesota Statutes, chapters 354; 354A; and 356; repealing Minnesota Statutes 1998, section 424A.02, subdivision 5; Laws 1998, chapter 390, article 1, section 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Pawlenty from the Committee on Rules and Legislative Administration to which was referred:

H. F. No. 1558, A bill for an act relating to agriculture; changing meeting provisions and duties of the board of grain standards; changing certain fees; defining and clarifying certain terms; changing certain provisions related to grain buyers, warehouses, and grain storage; clarifying uses of value-added agricultural product processing and marketing grants; clarifying contributions eligible for certain matching funds; changing pesticide registration and aquatic pest control licensing provisions; clarifying a fertilizer reporting requirement; conforming meat and poultry rules to federal law; providing for poultry inspection; amending Minnesota Statutes 1998, sections 17.101, subdivision 5; 17.109, subdivision 3; 17B.07; 17B.12; 17B.15, subdivision 1; 18B.315, subdivisions 3, 4, and 6; 18C.421, subdivision 1; 27.01, subdivision 8, and by adding a subdivision; 27.19, subdivision 1; 31.101, subdivision 10; 31A.01; 31A.02, subdivision 4, and by adding subdivisions; 31A.15, subdivision 1; 31A.21, subdivisions 1 and 3; 31A.31; 223.17, subdivisions 5 and 6; 223.175; 232.21, by adding a subdivision; and 232.23, subdivisions 3 and 6; repealing Minnesota Statutes 1998, section 31A.28.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 2333, A bill for an act relating to education; prekindergarten through grade 12; providing for general education; special programs; lifework development; facilities and technology; education excellence; other programs; nutrition programs; libraries; education policy; and state agencies; appropriating money; amending Minnesota Statutes 1998, sections 13.46, subdivision 2; 43A.18, subdivision 4a; 119A.01, subdivisions 1 and 2; 120A.22, subdivision 5; 120A.24, subdivision 1; 120A.41; 121A.15, subdivision 1; 121A.23; 122A.07, subdivision 1; 122A.18, by adding a subdivision; 122A.28; 122A.60, subdivision 3; 122A.61, subdivision 1; 123A.05, subdivision 2; 123A.48, subdivision 10; 123B.195; 123B.36, subdivision 1; 123B.49, subdivision 4; 123B.53, subdivisions 4, 5, and 6; 123B.54; 123B.57, subdivision 4; 123B.61; 123B.75, by adding a subdivision; 123B.79, by adding a

subdivision; 123B.92, subdivision 9; 123B.93; 124C.55, by adding a subdivision; 124D.03, subdivision 8; 124D.10, subdivisions 3, 4, 5, 6, 10, 11, and by adding a subdivision; 124D.11, subdivisions 4, 6, 7, 8, and by adding a subdivision; 124D.453, subdivision 3; 124D.454; 124D.68, subdivision 9; 124D.69, subdivision 1; 124D.87; 124D.88, subdivision 3; 124D.94, subdivisions 3, 6, and 7; 125A.09, subdivision 4; 125A.50, subdivisions 2 and 5; 125A.75, subdivision 8; 125A.76, subdivisions 1, 4, and 5; 125A.79, subdivisions 1, 2, and by adding subdivisions; 125B.05, subdivision 3; 125B.20; 126C.05, subdivisions 1, 3, 15, and by adding a subdivision; 126C.10, subdivisions 1, 2, 3, 4, 10, 14, 19, 21, and by adding subdivisions; 126C.12; 126C.13, subdivisions 1 and 2; 126C.15; 126C.17, subdivisions 2, 5, and 6; 126C.40, subdivision 4; 126C.42, subdivisions 1 and 2; 126C.46; 126C.63, subdivisions 5 and 8; 126C.69, subdivisions 2 and 9; 127A.44, subdivision 2; 127A.45, subdivisions 2, 3, 4, 13, and by adding a subdivision; 127A.47, subdivisions 2 and 7; 127A.49, subdivisions 2 and 3; 128C.01, subdivisions 4 and 5; 128C.02, by adding a subdivision; 128C.12, subdivision 1; 128C.20; and 626.556, by adding a subdivision; Laws 1993, chapter 224, article 3, section 32, as amended; Laws 1995, First Special Session chapter 3, article 12, section 7, as amended; Laws 1996, chapter 412, article 1, section 35; Laws 1997, First Special Session chapter 4, article 1, section 61, subdivisions 1, 2, 3, as amended, and 4; article 2, section 51, subdivision 29, as amended; article 8, section 4; article 9, section 13; and Laws 1998, chapter 397, article 12, section 8; chapter 398, article 6, sections 38 and 39; proposing coding for new law in Minnesota Statutes, chapters 124D; 125A; 125B; 128C; and 134; repealing Minnesota Statutes 1998, sections 120B.05; 122A.31; 123B.05; 123B.64, subdivisions 1, 2, 3, and 4; 123B.92, subdivisions 2, 4, 6, 7, 8, and 10; 124D.112; 124D.113; 124D.115; 124D.116; 124D.24; 124D.25; 124D.26; 124D.27; 124D.28; 124D.29; 124D.30; 124D.32; 124D.453; 124D.65, subdivision 3; 124D.67; 124D.70; 124D.90; 125A.76, subdivision 6; 125A.77; 125A.79, subdivision 3; 126C.05, subdivision 4; 126C.06; 127A.45, subdivision 5; 134.155; 135A.081; and 136A.233; Laws 1995, First Special Session chapter 3, article 3, section 11; Laws 1997, First Special Session chapter 4, article 1, section 62, subdivision 5; article 2, section 51, subdivision 10; article 3, section 5; and article 8, section 5; and Laws 1998, chapter 398, article 2, section 57.

Reported the same back with the following amendments:

Page 60, line 17, after "122A.31" insert ", subdivision 4"

Pages 92 and 93, delete section 9

Page 93, line 22, delete "11" and insert "10"

Page 93, line 23, delete "23" and insert "22"

Page 93, line 24, delete "24" and insert "23"

Page 96, line 9, delete "15" and insert "14"

Page 96, line 27, delete "16" and insert "15"

Page 100, line 5, delete "23" and insert "22"

Page 100, line 18, delete "24" and insert "23"

Page 103, line 33, delete "25" and insert "24"

Page 104, line 13, delete "26" and insert "25"

Page 104, line 21, delete "27" and insert "26"

Page 108, line 17, delete "25" and insert "24"

Renumber the sections

Correct internal references

Amend the title as follows:

Page 1, line 20, delete "124D.03, subdivision 8;"

Page 2, line 8, after "122A.31" insert ", subdivision 4"

With the recommendation that when so amended the bill pass.

The report was adopted.

Krinkie from the Committee on State Government Finance to which was referred:

H. F. No. 2386, A bill for an act relating to state government; appropriating money for the general administrative expenses of state government.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

APPROPRIATIONS

Section 1. [STATE GOVERNMENT APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another fund named, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "2000" and "2001," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 2000, or June 30, 2001, respectively.

SUMMARY BY FUND

	2000	2001	BIENNIAL TOTAL
General	\$309,981,000	\$301,747,000	\$611,728,000
State Government Special Revenue	13,259,000	13,239,000	26,498,000
Health Care Access	1,842,000	1,871,000	3,713,000
Environmental	236,000	242,000	478,000
Solid Waste	660,000	670,000	1,330,000

Highway User Tax Distribution	2,129,000	2,173,000	4,302,000
Trunk Highway	37,000	37,000	74,000
Workers' Compensation	6,938,000	7,045,000	13,983,000
TOTAL	\$335,082,000	\$327,024,000	\$662,106,000

APPROPRIATIONS
Available for the Year
Ending June 30
2000 2001

Sec. 2. LEGISLATURE

Subdivision 1. Total Appropriation \$53,776,000 \$57,754,000

Summary by Fund

General	53,589,000	57,567,000
Health Care		
Access	150,000	150,000
Trunk Highway	37,000	37,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Senate
15,217,000 16,602,000

Of amounts previously appropriated to the senate and carried forward into the biennium beginning July 1, 1999, \$1,000,000 is canceled to the general fund.

Subd. 3. House of Representatives
25,361,000 27,670,000

Of amounts previously appropriated to the house of representatives and carried forward into the biennium beginning July 1, 1999, \$2,000,000 is canceled to the general fund.

The spaces available to house and senate staff in the State Office Building parking ramp must be apportioned so that the percentage of house staff who work in the State Office Building and are able to park in the ramp is the same as the percentage of senate staff who work in the State Office Building and are able to park in the ramp.

During the interim between the 1999 and 2000 legislative sessions, the house state government finance committee and the senate governmental operations budget division shall study internal service funds and enterprise funds in the department of administration and the services provided through those funds. The study shall evaluate the appropriateness of the department continuing to provide the services paid for through these funds and the appropriate funding mechanism for providing these services.

APPROPRIATIONS
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Ending June 30
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Subd. 4. Legislative Coordinating Commission

Summary by Fund

General	13,011,000	13,295,000
Health Care		
Access	150,000	150,000
Trunk Highway	37,000	37,000

\$5,484,000 the first year and \$5,582,000 the second year are for the office of the revisor of statutes.

\$1,079,000 the first year and \$1,107,000 the second year are for the legislative reference library.

\$4,765,000 the first year and \$4,895,000 the second year are for the office of the legislative auditor.

The appropriation to the legislative coordinating commission in Laws 1998, chapter 366, section 2, does not cancel until June 30, 2000. As a condition to executing the grant, there must be equitable financial participation in the exchange by the Canadian provinces.

Effective January 1, 2000, the house of representatives public information office and the senate publications office are combined, under the jurisdiction of the legislative coordinating commission.

Effective January 1, 2000, the house of representatives television services office and the senate media services offices are combined, under the jurisdiction of the legislative coordinating commission.

Effective January 1, 2000, the house of representatives administrative services office and senate offices that provide similar services are combined, under the jurisdiction of the legislative coordinating commission.

During the interim between the 1999 and 2000 legislative sessions, legislative appointing authorities may work with the department of employee relations to place legislative staff on temporary assignments in state agencies. The legislature is responsible for salary and benefits of employees who choose these temporary assignments. Work assignments and hours must be negotiated by legislative appointing authorities and the state agencies getting interim use of legislative staff. Refusal of a commissioner to find a suitable work assignment for interested and qualified legislative staff must be reported to the budget committee chairs of the house and senate that have jurisdiction over that agency's budget.

The legislative commission on pensions and retirement shall study and report to the legislature by January 15, 2000, on the comparability of pension and other postretirement benefits between public sector and private sector employees. When

APPROPRIATIONS
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comparing the benefits, the commission shall select comparable job classifications and salary ranges. The study shall compare pension portability, initial monthly benefits, average annual benefit increases, employer and employee contribution rates, availability of early retirement incentives, administrative costs, and other factors as necessary to compare benefits.

The legislative commission on pensions and retirement shall study and report to the legislature by January 15, 2000, on the benefits of changing the membership of the commission to include nonlegislators. In determining the new membership, the commission shall consider including representatives of both government and nongovernment employee organizations, pension fund experts with expertise in defined benefit and defined contribution pension plans, administrative services specialists, and others as necessary.

The legislative coordinating commission must implement a plan for scheduling house and senate floor sessions at the same time and having more joint committee meetings.

Sec. 3. GOVERNOR AND LIEUTENANT GOVERNOR

4,019,000

4,104,000

During the biennium ending June 30, 2001, the governor's office may not include more than three legislative relations staff. The amount saved by reducing the number of legislative relations staff may be used to provide increased security for the governor.

Not later than September 30, 1999, the governor, in consultation with the commissioners of agriculture and trade and economic development, shall prepare and submit an application for federal permits as may be needed to authorize the growing of experimental and demonstration plots of industrial hemp. The governor shall also direct the commissioner of agriculture, in consultation with the commissioner of public safety and other appropriate commissioners, to establish standards and forms for persons wishing to register for growing experimental and demonstration plots of industrial hemp.

By September 1 each year, the commissioner of finance shall report to the chairs of the senate governmental operations budget division and the house state government finance division any personnel costs incurred by the office of the governor and lieutenant governor that were supported by appropriations to other agencies during the previous fiscal year. The office of the governor shall inform the chairs of the divisions before initiating any interagency agreements.

Sec. 4. STATE AUDITOR

9,124,000

9,462,000

Sec. 5. STATE TREASURER

2,195,000

2,249,000

Sec. 6. ATTORNEY GENERAL

27,862,000

27,265,000

APPROPRIATIONS
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Summary by Fund

General	25,554,000	24,940,000
State Government		
Special Revenue	1,713,000	1,717,000
Environmental	135,000	138,000
Solid Waste	460,000	470,000

\$1,000,000 the first year is for the information technology initiative.

The attorney general and commissioner of finance shall continue to review the funding mechanism for legal services. By February 15, 2000, a report shall be submitted to the committees responsible for funding the office of the attorney general that details further refinements to the legal services funding mechanism. Some of the issues requiring further study include:

- (1) identifying criteria that differentiate between a partner and a pooled agency;
- (2) clarifying whether the attorney general, the agency, or both, is responsible for requesting funding for pooled agencies;
- (3) determining what process the billing rate should follow for implementation and of what it should be comprised;
- (4) developing a mechanism to ensure that legal service resources are allocated as intended by the legislature and a process to address situations where demand exceeds resources;
- (5) determining whether partner agencies should continue to have general fund dollars set aside in the attorney general base; and
- (6) determining what method is used to ascertain how much funding for legal services the attorney general has in its base for each agency.

Sec. 7. SECRETARY OF STATE

14,676,000

6,453,000

\$6,000,000 the first year is a one-time appropriation for computer projects. This appropriation may be spent only upon approval of the director of the office of technology.

Sec. 8. CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

501,000

514,000

Sec. 9. INVESTMENT BOARD

2,310,000

2,376,000

Sec. 10. ADMINISTRATIVE HEARINGS

6,664,000

6,859,000

This appropriation is from the workers' compensation special fund.

APPROPRIATIONS
Available for the Year
Ending June 30

2000 2001

Sec. 11. OFFICE OF STRATEGIC AND LONG-RANGE
PLANNING

6,340,000 5,206,000

Subdivision 1. Land Inventory

The director of the office of strategic and long-range planning must inventory all land owned by the state, including land under the navigable waters of the state at the time of statehood. The inventory must include the total acreage, when the state acquired each parcel, and the legal authority for acquiring each parcel. The director must report to the governor and the legislature by January 15, 2001.

Subd. 2. Program Evaluation

(a) \$100,000 each year is base funding for a program evaluation division. The program evaluation division will work real hard and shall scrutinize state government programs to identify duplication or poor coordination of effort and recommend ways to combine or organize services to be more effective and efficient and will:

(1) look at programs in a fiscally conservative and prudent manner and its letterhead shall state "Never forget it's the people's money";

(2) examine programs and determine what's necessary ... not necessarily what's "nice" to do;

(3) work to discover how to prevent future costs where possible. In conjunction with the department of finance, it will pay close attention to the future costs of policy and budget decisions and insist that projected budgets are balanced for four years;

(4) help to set a responsible budget, live within it, and settle up any actual surpluses with taxpayers at the end of the biennium;

(5) evaluate programs in tangible ways for real, cost-effective results and suggest ways to reform or eliminate programs if they are redundant or aren't producing desired results; and

(6) determine how to provide incentives for desirable behavior and evaluate proposals for competition, with a philosophy that it works and is even good in government.

(b) The division will report to the legislature by February 1, 2000, ways to reduce state government expenditures by five or ten percent.

Subd. 3. Feedlot

\$1,000,000 the first year is a one-time appropriation for the feedlot generic environmental impact statement.

APPROPRIATIONS
Available for the Year
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Subd. 4. Airport

Notwithstanding Minnesota Statutes, section 473.608, subdivision 25, or any other law to the contrary, the metropolitan airports commission must not begin or continue activities related to implementing the Minneapolis-St. Paul International Airport year 2010 long-term comprehensive plan until: (1) the commission completes, and the environmental quality board has approved, the environmental impact report required by Minnesota Statutes, section 473.614, subdivision 2a, which requires an evaluation of the environmental effects of and costs associated with noise impacts, noise mitigation measures, and land use compatibility measures according to alternative assumptions of 600,000, 650,000, 700,000, and 750,000 aircraft operations per year at the airport; and (2) adequate funding is secured and guaranteed to implement the mitigation programs, measures, and techniques recommended by the low frequency noise policy committee established under an agreement between the city of Richfield and the metropolitan airports commission. This paragraph is effective the day following final enactment.

Subd. 5. Planning grants

\$100,000 the first year is for a grant to the city of Mankato to complete the Mankato area growth management and planning study, phase 2. The appropriation is available until June 30, 2002. The appropriation must be matched by an in-kind donation of \$100,000 in administrative, technical, and higher educational internship support and supervision. The value of the in-kind donations must be determined by the commissioner of finance.

The city shall serve as fiscal agent to complete the study under the 1997 regional planning joint powers agreement among the cities of Mankato, North Mankato, and Eagle Lake; the counties of Nicollet and Blue Earth; and the towns of Mankato, South Bend, Lime, Decoria, and Belgrade, without limitation on the rights of the parties to that agreement to add or remove members. The study is intended as an alternative to community-based planning. The study is intended to develop information and analysis to provide guidance on such issues as:

- (1) the development of joint planning agreements to implement a unified growth management strategy;
- (2) joint service ventures, such as planning or zoning administration in urban fringe areas;
- (3) orderly growth and annexation agreements between cities and townships;
- (4) feedlot regulations in urban fringe areas and future growth corridors;
- (5) service strategies for unsewered subdivisions;

APPROPRIATIONS
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The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Operations Management

3,819,000	3,679,000
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Subd. 3. Intertechnologies Group

14,987,000	13,311,000
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\$2,000,000 the first year is for the year 2000 project office and a year 2000 contingency fund.

Summary by Fund

General	3,930,000	2,068,000
State Government		
Special Revenue	11,057,000	11,043,000

Subd. 4. Facilities Management

9,310,000	9,418,000
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During the biennium ending June 30, 2001, all increases over the fiscal year 1999 expenditures level for rent charged by the department of administration to state agencies for the use of state owned buildings must be used only for repair or maintenance of those buildings.

Subd. 5. Management Services

2,598,000	2,682,000
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Subd. 6. Fiscal Agent

636,000	426,000
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\$5,447,000 the first year and \$5,460,000 the second year are for office space costs of the legislature and veterans organizations, for ceremonial space, and for statutorily free space.

\$2,000 the first year and \$2,000 the second year are for the state employees' band.

\$153,000 each year is for the alliance with youth.

\$71,000 each year is for the developmental disabilities council.

\$210,000 the first year is for augmentive and alternative communications.

\$200,000 each year is for technology-related assistance for individuals with disabilities.

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Sec. 13. OFFICE OF TECHNOLOGY 5,164,000 2,622,000

Summary by Fund

General	4,901,000	2,457,000
State Government		
Special Revenue	89,000	79,000
Workers' Compensation	174,000	86,000

The appropriation for the second year is contingent on the commissioner of administration, in consultation with the director of the office, submitting a plan to the legislature by January 15, 2000, for reorganization of the office.

\$1,500,000 of the general fund appropriation the first year is for small agency infrastructure and is available until June 30, 2001. The appropriations from the special revenue fund and the workers' compensation fund are for small agency infrastructure.

\$500,000 the first year is for completion of the one-stop business licensing project.

Sec. 14. CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD 301,000 304,000

The board must install on the sign labeling the 600 North Robert Street building a plaque identifying the department of revenue as an occupant of the building.

The capitol area architectural and planning board and the Minnesota historical society shall remove the existing Spanish-American war plaque currently displayed in the capitol rotunda and donate it to the Minnesota historical society.

Sec. 15. FINANCE

Subdivision 1. Total Appropriation 21,233,000 21,529,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. State Financial Management

7,788,000	7,958,000
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Subd. 3. Information and Management Services

13,445,000	13,571,000
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The commissioner shall work with the commissioners of employee relations and administration and shall develop a request for proposals to use a private vendor for the state payroll system. The request must allow for phased implementation by the

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vendor, and must allow for bids from vendors across the country. Any state or other governmental agency may submit a proposal. The commissioner shall cause the request to be issued by October 1, 1999. All documents related to the development of the request for proposal are public under Minnesota Statutes, chapter 13.

Subd. 4. Technology Budget Book

The department shall prepare a separate budget book for the biennium beginning July 1, 2001, containing all of the administration's technology initiatives. The book shall also include a complete inventory of state-owned and leased technology, along with a projected replacement schedule. The inventory shall include information on how the technology fits into the state's master plan.

Sec. 16. EMPLOYEE RELATIONS

Subdivision 1. Total Appropriation

7,500,000

7,665,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Human Resources Management

7,362,000

7,527,000

The commissioner must develop and implement a plan to recruit and retain minority employees in state government. As part of the recruitment plan, the commissioner must build connections with minority centers and with entities that work with minority persons looking for jobs or training. As part of the retention plan, the commissioner must work with minority state employees and minority former state employees: (1) to find out what barriers they encountered in seeking state employment; (2) to find out what problems these employees have encountered in their work; and (3) to develop a program to improve retention rates of minority employees.

\$48,000 the first year and \$40,000 the second year are for one-time grants to the government training service for ongoing operations, including technology upgrades.

Subd. 3. Employee Insurance

138,000

138,000

The state employee assistance program must be funded entirely by assessing agencies and employers as authorized by Minnesota Statutes, section 43A.30, subdivision 5.

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\$275,000 the first year and \$275,000 the second year are for a grant to the Vinland National Center.

\$3,590,000 the first year is to make and administer bonus payments authorized under Minnesota Statutes, section 197.79. This appropriation is available until June 30, 2001. The unspent and unencumbered portion of the appropriations in Laws 1997, chapter 202, article 1, section 20, for bonus payments and administration under Minnesota Statutes, section 197.79, is canceled.

Of the amounts appropriated for the guardianship activity, \$128,000 the first year and \$129,000 the second year are one-time appropriations.

\$326,000 the second year is for a contribution towards a national World War II memorial. The appropriation is available until June 30, 2001, but may not be spent before October 1, 2000, and until the commissioner determines that the memorial will be built.

Sec. 20. VETERANS OF FOREIGN WARS	41,000	41,000
For carrying out the provisions of Laws 1945, chapter 455.		
Sec. 21. MILITARY ORDER OF THE PURPLE HEART	20,000	20,000
Sec. 22. DISABLED AMERICAN VETERANS	13,000	13,000
For carrying out the provisions of Laws 1941, chapter 425.		
Sec. 23. GAMBLING CONTROL	2,183,000	2,241,000
The commissioner of revenue must continue to provide technical support to the lawful gambling control board for the collection of gambling taxes without charge during the biennium ending June 30, 2001.		
Sec. 24. RACING COMMISSION	387,000	396,000
Sec. 25. AMATEUR SPORTS COMMISSION	614,000	630,000
The commission must develop a plan for becoming self-sufficient. The timeline for self-sufficiency must not exceed five years. The commission must report the plan to the chairs of the budget committees in the house and the senate by February 1, 2000.		
Sec. 26. BOARD OF THE ARTS		
Subdivision 1. Total Appropriation	13,058,000	13,083,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

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Subd. 2. Operations and Services

983,000 1,008,000

By February 15, 2000, the board must compile, report to the legislature, and make readily available a listing of grants awarded with funds appropriated for fiscal years 1998 and 1999 by type and dollar amount, along with a measurement of impact for each grant. Impact measurements include, but are not limited to: (1) the number of patrons served; (2) a determination if the grant allowed the grantee to go forward; and (3) the extent the grantee was able to expand or otherwise improve the artistic experience offered the public.

The board must also compile and make available a historical record for every grantee that has received funds from the board. The list must be by grantee and identify all types of grants received each year.

Subd. 3. Grants Program

8,040,000 8,040,000

At least \$1,500,000 for the biennium is for arts in education.

Subd. 4. Regional Arts Councils

4,035,000 4,035,000

Sec. 27. MINNESOTA HUMANITIES COMMISSION 460,000 478,000

The humanities commission must develop a plan for the selection of a Minnesota Poet Laureate. The commission must report the plan to the legislature by February 1, 2000.

Sec. 28. GENERAL CONTINGENT ACCOUNTS 600,000 600,000

Summary by Fund

General	100,000	100,000
State Government		
Special Revenue	400,000	400,000
Workers'		
Compensation	100,000	100,000

Sec. 29. TORT CLAIMS 275,000 275,000

To be spent by the commissioner of finance.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

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Sec. 30. MINNESOTA STATE RETIREMENT SYSTEM

3,998,000 4,014,000

The amounts estimated to be needed for each program are as follows:

(a) Legislators

3,800,000 3,800,000

Under Minnesota Statutes, sections 3A.03, subdivision 2; 3A.04, subdivisions 3 and 4; and 3A.11.

(b) Constitutional Officers

198,000 214,000

Under Minnesota Statutes, sections 352C.031, subdivision 5; 352C.04, subdivision 3; and 352C.09, subdivision 2.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 31. MINNEAPOLIS EMPLOYEES RETIREMENT FUND

6,442,000 6,442,000

\$5,892,000 the first year and \$5,892,000 the second year are to the commissioner of finance for payment to the Minneapolis employees retirement fund under Minnesota Statutes, section 422A.101, subdivision 3. Payment must be made in four equal installments, March 15, July 15, September 15, and November 15, each year.

\$550,000 the first year and \$550,000 the second year are to the commissioner of finance for payment to the Minneapolis employees retirement fund for the supplemental benefit for pre-1973 retirees under Minnesota Statutes, section 356.865.

Sec. 32. POLICE AND FIRE AMORTIZATION AID

6,295,000 6,303,000

\$4,925,000 the first year and \$4,925,000 the second year are to the commissioner of revenue for state aid to amortize the unfunded liability of local police and salaried firefighters' relief associations, under Minnesota Statutes, section 423A.02.

\$1,000,000 the first year and \$1,000,000 the second year are to the commissioner of revenue for supplemental state aid to amortize the unfunded liability of local police and salaried firefighters' relief associations under Minnesota Statutes, section 423A.02, subdivision 1a.

\$370,000 the first year and \$378,000 the second year are to the commissioner of revenue to pay reimbursements to relief associations for firefighter supplemental benefits paid under Minnesota Statutes, section 424A.10.

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Sec. 33. BOARD OF GOVERNMENT INNOVATION AND COOPERATION

149,000 -0-

Sec. 34. COMPENSATION COUNCIL

The recommendations of the 1999 compensation council must not take effect unless approved by another law.

Sec. 35. [STATEWIDE SYSTEMS ACCOUNT.]

Subdivision 1. [CONTINUATION.] The statewide systems account is a separate account in the general fund. All money resulting from billings for statewide systems services must be deposited in the account. For the purposes of this section, statewide systems includes the state accounting system, payroll system, human resources system, procurement system, and related information access systems.

Subd. 2. [BILLING PROCEDURES.] The commissioner of finance may bill up to \$3,867,000 in fiscal year 2000 and \$3,867,000 in fiscal year 2001 for statewide systems services provided to state agencies, judicial branch agencies, the University of Minnesota, the Minnesota state colleges and universities, and other entities. Billing must be based only on usage of services relating to statewide systems provided by the intertechnologies division. Each agency shall transfer from agency operating appropriations to the statewide systems account the amount billed by the commissioner. Billing policies and procedures related to statewide systems services must be developed by the commissioner of finance in consultation with the commissioners of employee relations and administration, the University of Minnesota, and the Minnesota state colleges and universities.

Subd. 3. [APPROPRIATION.] Money transferred into the account is appropriated to the commissioner of finance to pay for statewide systems services during fiscal years 2000 and 2001.

ARTICLE 2

STATE GOVERNMENT OPERATIONS

Section 1. Minnesota Statutes 1998, section 3.099, subdivision 3, is amended to read:

~~Subd. 3. [LEADERS.] The senate committee on rules and administration for the senate and the house committee on rules and legislative administration for the house may each designate for their respective body up to three leadership positions to receive up to 140 percent of the compensation of other members.~~

At the commencement of each biennial legislative session, each house of the legislature shall adopt a resolution designating its majority and minority leader.

The majority leader is the person elected by the caucus of members in each house which is its largest political affiliation. The minority leader is the person elected by the caucus which is its second largest political affiliation.

Sec. 2. Minnesota Statutes 1998, section 3.3005, is amended by adding a subdivision to read:

Subd. 3a. [CHANGE IN PURPOSE.] If a request to spend federal money is included in a governor's budget request and approved according to subdivision 2a, but the purpose for which the money is to be used changes from the time of the request and approval, the amount may be allotted for expenditure after a revised request is submitted according to subdivision 2 or the requirements of subdivision 5 are met.

Sec. 3. [3.226] [ACCOUNTING.]

The house of representatives, the senate, and joint legislative commissions and offices must use the state accounting system developed by the commissioner of finance under section 16A.15, subdivision 2, to account for each item of expenditure and for all revenues received.

Sec. 4. Minnesota Statutes 1998, section 3.305, is amended by adding a subdivision to read:

Subd. 9. [PUBLIC INFORMATION.] The legislative coordinating commission shall establish an office to provide information to the public about the legislature, including legislative process and legislative proceedings, and to perform related duties as assigned by the commission.

Sec. 5. Minnesota Statutes 1998, section 3.305, is amended by adding a subdivision to read:

Subd. 10. [TELEVISION.] The legislative coordinating commission shall establish an office to provide for television production and transmission of legislative proceedings, and to perform related duties as assigned by the commission.

Sec. 6. Minnesota Statutes 1998, section 3.305, is amended by adding a subdivision to read:

Subd. 11. [ADMINISTRATIVE SERVICES.] The legislative coordinating commission shall provide administrative services to the entire legislative branch. These services include, but are not limited to, payroll, purchasing, information systems, and human resources.

Sec. 7. [3.3057] [INTERPRETER SERVICES.]

A state agency must pay for sign language interpreter services provided on behalf of its employees at legislative meetings.

Sec. 8. Minnesota Statutes 1998, section 3.85, subdivision 3, is amended to read:

Subd. 3. [MEMBERSHIP.] The commission consists of ~~six~~ seven members of the senate appointed by the subcommittee on committees of the committee on rules and administration and ~~six~~ seven members of the house of representatives appointed by the speaker. Members shall be appointed at the commencement of each regular session of the legislature for a two-year term beginning January 16 of the first year of the regular session. Members who are still legislators continue to serve at the end of the two-year term until successors are appointed. Vacancies that occur while the legislature is in session shall be filled like regular appointments. If the legislature is not in session, senate vacancies shall be filled by the last subcommittee on committees of the senate committee on rules and administration or other appointing authority designated by the senate rules, and house vacancies shall be filled by the last speaker of the house, or if the speaker is not available, by the last chair of the house rules committee.

Sec. 9. [4A.11] [MANAGEMENT ANALYSIS.]

Subdivision 1. [DIRECTOR'S INITIATIVE.] At the director's initiative, the office may study the organization, administration, and management of state agencies and the Minnesota state colleges and universities.

Subd. 2. [AGENCY REQUEST.] At the request of a state agency, the Minnesota state colleges and universities, or a unit of local or regional government, the director may provide analytical or organizational development services to the entity. The director must bill the entity for the cost of these services. Funds received through these billings are appropriated to the director for purposes of this subdivision.

Sec. 10. Minnesota Statutes 1998, section 8.15, subdivision 1, is amended to read:

Subdivision 1. [FEE SCHEDULES.] The attorney general in consultation with the commissioner of finance shall develop a fee schedule to be used by the attorney general in developing the agreements authorized in subdivision 3. The attorney general must submit its billing rate for the next biennium to the commissioner of finance by August 1 of each even-numbered year.

The attorney general may not assess a county any fee for legal services rendered in connection with a commitment proceeding under section 253B.185 for which the attorney general assumes responsibility under section 8.01.

Sec. 11. Minnesota Statutes 1998, section 8.15, subdivision 2, is amended to read:

Subd. 2. [BIENNIAL BUDGET REQUEST.] (a) The attorney general in consultation with the commissioner of finance shall designate which agencies will have their legal service requests included in the budget request of the attorney general.

(b) All other agencies, in consultation with the attorney general and the commissioner of finance, shall include a request for legal services in their biennial budget requests.

(c) The budget request of the attorney general shall include a consolidated listing that shows on one page all the appropriations that will be used to support the office of the attorney general and the finance division from which they will be requested.

Sec. 12. Minnesota Statutes 1998, section 8.15, subdivision 3, is amended to read:

Subd. 3. [AGREEMENTS.] (a) To facilitate the delivery of legal services, the attorney general may:

(1) enter into agreements with executive branch agencies, political subdivisions, or quasi-state agencies to provide legal services for the benefit of the citizens of Minnesota; and

(2) in addition to funds otherwise appropriated by the legislature, accept and spend funds received under any agreement authorized in clause (1) for the purpose set forth in clause (1), subject to a report of receipts to the chairs of the senate finance committee and the house ways and means committee by October 15 each year.

(b) Funds received under this subdivision must be deposited in the general fund and are appropriated to the attorney general for the purposes set forth in this subdivision.

(c) When entering into an agreement for legal services, the attorney general must notify the committees responsible for funding the office of the attorney general. When the attorney general enters into an agreement with a state agency, the attorney general must also notify the committees responsible for funding that agency.

Sec. 13. Minnesota Statutes 1998, section 13.03, subdivision 2, is amended to read:

Subd. 2. [PROCEDURES.] (a) The responsible authority in every state agency, political subdivision, and statewide system shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.

(b) The responsible authority shall prepare public access procedures in written form and update them no later than August 1 of each year as necessary to reflect any changes in personnel or circumstances that might affect public access to government data. The responsible authority shall make copies of the written public access procedures easily available to the public by distributing free copies of the procedures to the public or by posting a copy of the procedures in a conspicuous place within the government entity that is easily accessible to the public.

(c) Full convenience and comprehensive accessibility shall be allowed to researchers including historians, genealogists and other scholars to carry out extensive research and complete copying of all records containing government data except as otherwise expressly provided by law.

A responsible authority may designate one or more designees.

Sec. 14. Minnesota Statutes 1998, section 13.05, is amended by adding a subdivision to read:

Subd. 11. [CONTRACT TERMS.] (a) If a government entity enters into a contract with a private person to perform any of its functions, the government entity shall include in the contract contractual terms that make it clear that all of the data created, collected, received, stored, used, maintained, or disseminated by the private person in performing those functions is subject to the requirements of this chapter and that the private person must comply with those requirements as if it were a government entity.

(b) This subdivision does not create a duty on the part of the private person to provide access to public data to the public if the public data are available from the government entity, except as required by the terms of the contract.

Sec. 15. Minnesota Statutes 1998, section 13.073, is amended by adding a subdivision to read:

Subd. 6. [PREPARATION OF MODEL POLICIES AND PROCEDURES.] The commissioner shall, in consultation with affected government entities, prepare model policies and procedures to assist government entities in complying with the requirements of this chapter that relate to public access to government data and rights of subjects of data. The commissioner shall provide assistance and guidance to government entities to enable them to protect the integrity of government data in electronic form from alteration, destruction, or unauthorized access to nonpublic government data. Upon completion of a model for a governmental level, the commissioner shall offer that model for formal adoption by that level of government. Government entities may adopt or reject the model offered by the commissioner. A government entity that adopts the commissioner's model shall notify the commissioner in a form prescribed by the commissioner. A government entity that chooses not to adopt the commissioner's model shall notify the commissioner and provide a copy of the policies and procedures prepared and used by that government entity.

Sec. 16. Minnesota Statutes 1998, section 15.0591, subdivision 2, is amended to read:

Subd. 2. [BODIES AFFECTED.] A member meeting the qualifications in subdivision 1 must be appointed to the following boards, commissions, advisory councils, task forces, or committees:

- (1) advisory council on battered women;
- (2) advisory task force on the use of state facilities;
- (3) alcohol and other drug abuse advisory council;
- (4) board of examiners for nursing home administrators;
- (5) board on aging;
- (6) chiropractic examiners board;
- (7) consumer advisory council on vocational rehabilitation;
- (8) council on disability;
- (9) council on affairs of Chicano/Latino people;
- (10) council on Black Minnesotans;
- (11) dentistry board;
- (12) department of economic security advisory council;
- (13) higher education services office;
- (14) housing finance agency;
- (15) Indian advisory council on chemical dependency;
- (16) medical practice board;

- (17) medical policy directional task force on mental health;
- (18) Minnesota employment and economic development task force;
- (19) ~~Minnesota office of citizenship and volunteer services advisory committee;~~
- (20) Minnesota state arts board;
- (21) (20) nursing board;
- (22) (21) optometry board;
- (23) (22) pharmacy board;
- (24) (23) physical therapists council;
- (25) (24) podiatry board;
- (26) (25) psychology board;
- (27) (26) veterans advisory committee.

Sec. 17. Minnesota Statutes 1998, section 15.50, subdivision 2, is amended to read:

Subd. 2. [CAPITOL AREA PLAN.] (a) The board shall prepare, prescribe, and from time to time, after a public hearing, amend a comprehensive use plan for the capitol area, called the area in this subdivision, which consists of that portion of the city of Saint Paul comprehended within the following boundaries: Beginning at the point of intersection of the center line of the Arch-Pennsylvania freeway and the center line of Marion Street, thence southerly along the center line of Marion Street extended to a point 50 feet south of the south line of Concordia Avenue, thence southeasterly along a line extending 50 feet from the south line of Concordia Avenue to a point 125 feet from the west line of John Ireland Boulevard, thence southwesterly along a line extending 125 feet from the west line of John Ireland Boulevard to the south line of Dayton Avenue, thence northeasterly from the south line of Dayton Avenue to the west line of John Ireland Boulevard, thence northeasterly to the center line of the intersection of Old Kellogg Boulevard and Summit Avenue, thence northeasterly along the center line of Summit Avenue to the ~~center line of the new West Kellogg Boulevard, thence southerly along the east line of the new West Kellogg Boulevard, to the center line of West Seventh Street, thence northeasterly along the center line of West Seventh Street to the center line of the Fifth Street ramp, thence northwesterly along the center line of the Fifth Street ramp to the south line of the right-of-way of the Fifth Street ramp, thence southeasterly along the right-of-way of the Fifth Street ramp~~ to the east line of the right-of-way of Interstate Highway 35-E, thence northeasterly along the east line of the right-of-way of Interstate Highway 35-E to the south line of the right-of-way of Interstate Highway 94, thence easterly along the south line of the right-of-way of Interstate Highway 94 to the west line of St. Peter Street, thence southerly to the south line of Exchange Street, thence easterly along the south line of Exchange Street to the west line of Cedar Street, thence northerly along the west line of Cedar Street to the center line of Tenth Street, thence northeasterly along the center line of Tenth Street to the center line of Minnesota Street, thence northwesterly along the center line of Minnesota Street to the center line of Eleventh Street, thence northeasterly along the center line of Eleventh Street to the center line of Jackson Street, thence northwesterly along the center line of Jackson Street to the center line of the Arch-Pennsylvania freeway extended, thence westerly along the center line of the Arch-Pennsylvania freeway extended and Marion Street to the point of origin. If construction of the labor interpretive center does not commence prior to December 31, 2000, at the site recommended by the board, the boundaries of the capitol area revert to their configuration as of 1992.

Under the comprehensive plan, or a portion of it, the board may regulate, by means of zoning rules adopted under the Administrative Procedure Act, the kind, character, height, and location, of buildings and other structures constructed or used, the size of yards and open spaces, the percentage of lots that may be occupied, and the uses of land, buildings and other structures, within the area. To protect and enhance the dignity, beauty, and architectural integrity of the capitol area, the board is further empowered to include in its zoning rules design review procedures and standards with respect to any proposed construction activities in the capitol area significantly affecting the dignity, beauty, and architectural integrity of the area. No person may undertake these construction activities as defined in the board's rules in the capitol area without first submitting construction plans to the board, obtaining a zoning permit from the board, and receiving a written certification from the board specifying that the person has complied with all design review procedures and standards. Violation of the zoning rules is a misdemeanor. The board may, at its option, proceed to abate any violation by injunction. The board and the city of Saint Paul shall cooperate in assuring that the area adjacent to the capitol area is developed in a manner that is in keeping with the purpose of the board and the provisions of the comprehensive plan.

(b) The commissioner of administration shall act as a consultant to the board with regard to the physical structural needs of the state. The commissioner shall make studies and report the results to the board when it requests reports for its planning purpose.

(c) No public building, street, parking lot, or monument, or other construction may be built or altered on any public lands within the area unless the plans for the project conform to the comprehensive use plan as specified in paragraph (d) and to the requirement for competitive plans as specified in paragraph (e). No alteration substantially changing the external appearance of any existing public building approved in the comprehensive plan or the exterior or interior design of any proposed new public building the plans for which were secured by competition under paragraph (e) may be made without the prior consent of the board. The commissioner of administration shall consult with the board regarding internal changes having the effect of substantially altering the architecture of the interior of any proposed building.

(d) The comprehensive plan must show the existing land uses and recommend future uses including: areas for public taking and use; zoning for private land and criteria for development of public land, including building areas, open spaces, monuments, and other memorials; vehicular and pedestrian circulation; utilities systems; vehicular storage; elements of landscape architecture. No substantial alteration or improvement may be made to public lands or buildings in the area without the written approval of the board.

(e) The board shall secure by competitions plans for any new public building. Plans for any comprehensive plan, landscaping scheme, street plan, or property acquisition that may be proposed, or for any proposed alteration of any existing public building, landscaping scheme or street plan may be secured by a similar competition. A competition must be conducted under rules prescribed by the board and may be of any type which meets the competition standards of the American Institute of Architects. Designs selected become the property of the state of Minnesota, and the board may award one or more premiums in each competition and may pay the costs and fees that may be required for its conduct. At the option of the board, plans for projects estimated to cost less than \$1,000,000 may be approved without competition provided the plans have been considered by the advisory committee described in paragraph (h). Plans for projects estimated to cost less than \$400,000 and for construction of streets need not be considered by the advisory committee if in conformity with the comprehensive plan.

(f) Notwithstanding paragraph (e), an architectural competition is not required for the design of any light rail transit station and alignment within the capitol area. The board and its advisory committee shall select a preliminary design for any transit station in the capitol area. Each stage of any station's design through working drawings must be reviewed by the board's advisory committee and approved by the board to ensure that the station's design is compatible with the comprehensive plan for the capitol area and the board's design criteria. The guideway and track design of any light rail transit alignment within the capitol area must also be reviewed by the board's advisory committee and approved by the board.

(g) Of the amount available for the light rail transit design, adequate funds must be available to the board for design framework studies and review of preliminary plans for light rail transit alignment and stations in the capitol area.

(h) The board may not adopt any plan under paragraph (e) unless it first receives the comments and criticism of an advisory committee of three persons, each of whom is either an architect or a planner, who have been selected and appointed as follows: one by the board of the arts, one by the board, and one by the Minnesota Society of the American Institute of Architects. Members of the committee may not be contestants under paragraph (e). The comments and criticism must be a matter of public information. The committee shall advise the board on all architectural and planning matters. For that purpose, the committee must be kept currently informed concerning, and have access to, all data, including all plans, studies, reports and proposals, relating to the area as the data are developed or in the process of preparation, whether by the commissioner of administration, the commissioner of trade and economic development, the metropolitan council, the city of Saint Paul, or by any architect, planner, agency or organization, public or private, retained by the board or not retained and engaged in any work or planning relating to the area, and a copy of any data prepared by any public employee or agency must be filed with the board promptly upon completion.

The board may employ stenographic or technical help that may be reasonable to assist the committee to perform its duties.

When so directed by the board, the committee may serve as, and any member or members of the committee may serve on, the jury or as professional advisor for any architectural competition, and the board shall select the architectural advisor and jurors for any competition with the advice of the committee.

The city of Saint Paul shall advise the board.

(i) The comprehensive plan for the area must be developed and maintained in close cooperation with the commissioner of trade and economic development, the planning department and the council for the city of Saint Paul, and the board of the arts, and no plan or amendment of a plan may be effective without 90 days' notice to the planning department of the city of Saint Paul and the board of the arts and without a public hearing with opportunity for public testimony.

(j) The board and the commissioner of administration, jointly, shall prepare, prescribe, and from time to time revise standards and policies governing the repair, alteration, furnishing, appearance, and cleanliness of the public and ceremonial areas of the state capitol building. The board shall consult with and receive advice from the director of the Minnesota state historical society regarding the historic fidelity of plans for the capitol building. The standards and policies developed under this paragraph are binding upon the commissioner of administration. The provisions of chapter 14, including section 14.386, do not apply to this paragraph.

(k) The board in consultation with the commissioner of administration shall prepare and submit to the legislature and the governor no later than October 1 of each even-numbered year a report on the status of implementation of the comprehensive plan together with a program for capital improvements and site development, and the commissioner of administration shall provide the necessary cost estimates for the program. The board shall report any changes to the comprehensive plan adopted by the board to the committee on governmental operations and gambling of the house of representatives and the committee on governmental operations and reform of the senate and upon request shall provide testimony concerning the changes. The board shall also provide testimony to the legislature on proposals for memorials in the capitol area as to their compatibility with the standards, policies, and objectives of the comprehensive plan.

(l) The state shall, by the attorney general upon the recommendation of the board and within appropriations available for that purpose, acquire by gift, purchase, or eminent domain proceedings any real property situated in the area described in this section, and it may also acquire an interest less than a fee simple interest in the property, if it finds that the property is needed for future expansion or beautification of the area.

(m) The board is the successor of the state veterans service building commission, and as such may adopt rules and may reenact the rules adopted by its predecessor under Laws 1945, chapter 315, and amendments to it.

(n) The board shall meet at the call of the chair and at such other times as it may prescribe.

(o) The commissioner of administration shall assign quarters in the state veterans service building to (1) the department of veterans affairs, of which a part that the commissioner of administration and commissioner of veterans affairs may mutually determine must be on the first floor above the ground, and (2) the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Military Order of the Purple Heart, United Spanish War Veterans, and Veterans of World War I, and their auxiliaries, incorporated, or when incorporated, under the laws of the state, and (3) as space becomes available, to other state departments and agencies as the commissioner may deem desirable.

Sec. 18. Minnesota Statutes 1998, section 16A.102, subdivision 1, is amended to read:

Subdivision 1. [GOVERNOR'S RECOMMENDATION.] ~~By the fourth Monday in January of each odd-numbered year, At the same time as the detailed operating budget specified in section 16A.11, subdivision 1, must be submitted to the legislature,~~ the governor shall also submit to the legislature a recommended revenue target for the next two bienniums. The recommended revenue target must specify:

(1) the maximum share of Minnesota personal income to be collected in taxes and other revenues to pay for state and local government services;

(2) the division of the share between state and local government revenues; and

(3) the mix and rates of income, sales, and other state and local taxes including property taxes and other revenues.

The recommendations must be based on the November forecast prepared under section 16A.103.

Sec. 19. Minnesota Statutes 1998, section 16A.103, subdivision 1, is amended to read:

Subdivision 1. [STATE REVENUE AND EXPENDITURES.] In February and November each year, the commissioner shall prepare a forecast of state revenue and expenditures. The November forecast must be delivered to the legislature and governor no later than the end of the first week of December. The February forecast must be delivered to the legislature and governor by the end of February. Forecasts must be delivered to the legislature and governor on the same day. The forecast must assume the continuation of current laws and reasonable estimates of projected growth in the national and state economies and affected populations. Revenue must be estimated for all sources provided for in current law. Expenditures must be estimated for all obligations imposed by law and those projected to occur as a result of inflation and variables outside the control of the legislature. In determining the rate of inflation, the application of inflation, the amount of state bonding as it affects debt service, and the other variables to be included in the expenditure part of the forecast, the commissioner must consult with the chair of the senate state government finance committee, the chair of the house committee on ways and means, and house and senate fiscal staff. In addition, the commissioner shall forecast Minnesota personal income for each of the years covered by the forecast and include these estimates in the forecast documents. A forecast prepared during the first fiscal year of a biennium must cover that biennium and the next biennium. A forecast prepared during the second fiscal year of a biennium must cover that biennium and the next two bienniums.

Sec. 20. Minnesota Statutes 1998, section 16A.11, is amended by adding a subdivision to read:

Subd. 7. [FEES.] The detailed operating budget for each executive branch agency must include proposals for any new fees or any increases in existing fees. For purposes of this section, "fees" has the meaning given in section 16A.1283, but excludes charges listed in paragraph (b) of that section.

Sec. 21. [16A.1283] [LEGISLATIVE APPROVAL REQUIRED.]

(a) Notwithstanding any law to the contrary, an executive branch state agency may not impose a new fee or increase an existing fee unless the new fee or increase is approved by law. For purposes of this section, a fee is any charge for goods, services, regulation, or licensure, and, notwithstanding paragraph (b), clause (3), includes charges for admission to or for use of public facilities owned by the state.

(b) This section does not apply to:

(1) charges billed within or between state agencies, or billed to federal agencies;

(2) the Minnesota state colleges and universities system;

(3) charges for goods and services provided for the direct and primary use of a private individual, business, or other entity.

(c) An executive branch agency may reduce a fee that was set by rule before the effective date of this section without legislative approval. Chapter 14 does not apply to fee reductions under this paragraph.

(d) The total amount of money raised in a biennium by an executive branch agency by the imposition of a fee that was set by rule before the effective date of this section may not exceed the total amount of money raised by imposition of that fee during the 2000-2001 biennium.

Sec. 22. Minnesota Statutes 1998, section 16A.45, subdivision 1, is amended to read:

Subdivision 1. [CANCEL; CREDIT.] Once each fiscal year the commissioner and the treasurer shall cancel upon their books all outstanding unpaid commissioner's warrants; ~~except warrants issued for federal assistance programs; that have been issued and delivered for more than six months prior to that date and credit to the general fund the respective amounts of the canceled warrants on or before June 30 of the preceding year and credit state amounts subject to the provisions of section 345.43 and federal amounts to the appropriate account in the federal fund.~~ These warrants are presumed abandoned under section 345.38 and are subject to the provisions of sections 345.31 to 345.60. ~~The commissioner and the treasurer shall cancel upon their books all outstanding unpaid commissioner's warrants issued for federal assistance programs that have been issued and delivered for more than the period of time set pursuant to the federal program and credit to the general fund and the appropriate account in the federal fund; the amount of the canceled warrants.~~

Sec. 23. [16A.86] [CAPITAL PROJECT GRANTS TO POLITICAL SUBDIVISIONS.]

Subdivision 1. [PROJECTS COVERED.] The capital improvement projects covered by this section are only those not covered by another state program of assistance to political subdivisions.

Subd. 2. [BUDGET REQUEST.] A political subdivision that requests an appropriation of state general funds or state general obligation bond proceeds for a local capital improvement project is encouraged to submit the request to the commissioner of finance by June 1 of an odd-numbered year to ensure its full consideration. The request must be submitted in the form and with the supporting documentation required by the commissioner of finance. All requests timely received by the commissioner must be forwarded to the legislature, along with agency requests, by the deadline established in section 16A.11, subdivision 1.

Subd. 3. [EVALUATION.] (a) The commissioner shall evaluate all requests from political subdivisions for state assistance based on the following criteria:

(1) the political subdivision has provided for local, private, and user financing for the project to the maximum extent possible;

(2) the project helps fulfill an important state mission;

(3) the project is of regional or statewide significance;

(4) the project will not require new or any additional state operating subsidies;

(5) the project will not expand the state's role in a new policy area;

(6) state funding for the project will not create significant inequities among local jurisdictions;

(7) the political subdivision has presented a credible plan for how ongoing maintenance of the project will be funded over its estimated life;

(8) the project will not compete with other facilities in such a manner that they lose a significant number of users to the new project; and

(9) the governing bodies of those political subdivisions primarily benefiting from the project have passed resolutions in support of the project.

(b) The commissioner's evaluation of each request, including whether it meets each of the criteria in paragraph (a), must be submitted to the legislature along with the governor's recommendations under section 16A.11, subdivision 1, whether or not the governor recommends that the request be funded.

Subd. 4. [FUNDING.] (a) If a project covered by this section is funded, the amount of funding must be no more than half the total cost of the project, including predesign, design, construction, furnishings, and equipment.

(b) Notwithstanding paragraph (a), greater than 50 percent funding of projects that are deemed needed as a result of a disaster or to prevent a disaster, or that meet the criteria in subdivision 3, paragraph (a), but are located in political subdivisions with very low average net tax capacities is permitted.

(c) Nothing in this section shall prevent the governor from recommending, or the legislature from funding, projects which do not meet the criteria in subdivision 3 or 4 when the governor or the legislature determines that there is a compelling reason for the recommendation or funding.

Sec. 24. Minnesota Statutes 1998, section 16B.31, subdivision 2, is amended to read:

Subd. 2. [APPROPRIATIONS.] Plans must be paid for out of money appropriated for the purpose of improving or constructing the building. No part of the balance may be expended until the commissioner has secured suitable plans and specifications, prepared by a competent architect or engineer, and accompanied by a detailed statement of the cost, quality, and description of all material and labor required for the completion of the work. No plan may be adopted, and no improvement made or building constructed by the commissioner or any other agency to whom an appropriation is made for a capital improvement, that contemplates the expenditure for its completion of more money than the appropriation for it, unless otherwise provided in this section or the act making the appropriation. The commissioner may not direct or permit any expenditure beyond that appropriated, and any agent of the commissioner violating this provision is guilty of a gross misdemeanor.

Sec. 25. Minnesota Statutes 1998, section 16B.415, is amended to read:

16B.415 [OPERATION OF INFORMATION SYSTEMS.]

The commissioner, through a division of technology management, is responsible for ongoing operations of state agency information technology activities. These include records management, activities relating to the Government Data Practices Act, ~~operation of administering~~ the state information infrastructure, and activities necessary to make state information systems year 2000 compliant.

Sec. 26. Minnesota Statutes 1998, section 16B.46, is amended to read:

16B.46 [TELECOMMUNICATION; POWERS.]

The commissioner shall supervise and control the leasing of all state telecommunication ~~facilities~~ services including any transmission, emission, or reception of signs, signals, writing, images, and sounds or intelligence of any nature by wire, radio, optical, or other electromagnetic systems. Nothing in this section or section 16B.465

modifies, amends, or abridges any powers and duties presently vested in or imposed upon the commissioner of transportation or the commissioner of public safety relating to telecommunications facilities or the commissioner of transportation relating only to radio air navigation facilities or other air navigation facilities.

Sec. 27. Minnesota Statutes 1998, section 16B.465, is amended to read:

16B.465 [STATE INFORMATION INFRASTRUCTURE.]

Subdivision 1. [PURPOSE.] (a) The state of Minnesota and its departments and agencies are urged to seek ways to encourage the growth of the private sector in the area of telecommunications and not pursue policies that restrict market opportunities for the private sector. The state may provide only those telecommunication services that are not available through the private sector.

(b) This section does not preclude the state from purchasing, owning, or leasing customer premises equipment. Customer premises equipment consists of terminal and associated equipment and inside wire located at an end user's premises and connected with communication channels at the point established in a building or a complex to separate customer equipment from the network. Customer premises equipment also includes, but is not limited to communications devices eligible for distribution to communication impaired persons under section 237.51, subdivision 1.

(c) This section does not prohibit the state from operating and staffing a network operations center that allows the state to test, troubleshoot and maintain network operations.

~~Subdivision 1~~ Subd. 1a. [CREATION.] The state information infrastructure provides shall arrange for the provision of leased voice, data, video, and other telecommunications transmission services to state agencies; educational institutions, including public schools as defined in section 120A.05, subdivisions 9, 11, 13, and 17, nonpublic, church or religious organization schools that provide instruction in compliance with sections 120A.22, 120A.24, and 124A.41, and private colleges; public corporations; and state political subdivisions. It is not a telephone company for purposes of chapter 237. The state shall not purchase, own, or lease any telecommunication network facilities or equipment unless the state has sought bids or proposals and has determined that the private sector cannot provide the services as bid or proposed by the state using the facilities or equipment in a cost-effective manner. It shall not resell or sublease any services or facilities to nonpublic entities except it may serve private schools and colleges. The commissioner has the responsibility for planning, development, and operations of the state information infrastructure in order to provide cost-effective leased telecommunications transmission services to state information infrastructure users. For purposes of this section, "state information infrastructure" means the network facilities and telecommunications services provided by the state or through contracts administered by the commissioner.

Subd. 3. [DUTIES.] (a) The commissioner, after consultation with the office of technology, shall:

(1) ~~provide~~ negotiate, enter into, and administer contracts for voice, data, video, and other leased telecommunications ~~transmission~~ services to the state and to political subdivisions through an account in the intertechnologies revolving fund;

(2) manage vendor relationships, ~~network function~~, and capacity planning in order to be responsive to the needs of the state information infrastructure users;

(3) set rates and fees for services;

(4) approve contracts for leased services relating to the system;

(5) in consultation with the office of technology, develop ~~the system~~ a plan, ~~including plans for the phasing of its implementation and maintenance of the initial system out~~ the provision of telecommunications services and network operations, except as provided in paragraph (b), and for the annual program and fiscal plans for the leased system; and

(6) in consultation with the office of technology, and the department of children, families, and learning in regard to schools, assist state agencies, political subdivisions of the state, and higher education institutions, including private colleges and public and private schools, to identify their telecommunication needs, and develop a plan plans for interconnection of the provision of leased telecommunications services and equipment to ensure the integration of these needs into an interoperable statewide network with private colleges and public and private schools in the state.

(b) The commissioner may purchase, own, operate, or lease telecommunication network facilities or equipment if the commissioner has sought bids or proposals and has determined that the private sector cannot provide services that the state intends to provide using the facilities or equipment in a cost-effective manner.

(c) The commissioner, in consultation with the office of technology and the department of children, families, and learning in regard to schools, when requested, may assist state agencies, political subdivisions of the state, and higher education institutions, including private colleges and public and private schools, in identifying, purchasing, or leasing their customer premises equipment.

Subd. 4. [PROGRAM PARTICIPATION.] ~~(a) The commissioner may require the participation secure bids or proposals for services from private sector vendors to serve the needs of state agencies, the state board of education, and the board of trustees of the Minnesota state colleges and universities, and may request the participation of the board of regents of the University of Minnesota, in the planning and implementation of the network to provide interconnective technologies. Alternatively, those entities may seek bids or proposals for services directly from private sector vendors with the advice of the commissioner. The commissioner's advice is not binding on these entities.~~

Subd. 4a. [RATES.] The commissioner shall establish reimbursement rates in cooperation with the commissioner of finance to be billed to participating agencies and educational institutions sufficient to cover the operating, maintenance, and administrative costs of the ~~system leased services.~~

~~(b) A direct appropriation made to an educational institution for usage costs associated with the state information infrastructure must only be used by the educational institution for payment of usage costs of the network as billed by the commissioner of administration.~~

Subd. 6. [APPROPRIATION.] Money appropriated for the state information infrastructure and fees for leased telecommunications services must be deposited in an account in the intertechnologies fund. Money in the account is appropriated annually to the commissioner to ~~operate telecommunications services~~ carry out the purposes of this section.

Subd. 7. [EXEMPTION.] The system is exempt from the five-year limitation on contracts set by sections 16C.05, subdivision 2, paragraph (a), clause (5), 16C.08, subdivision 3, clause (7), and 16C.09, clause (6).

Sec. 28. Minnesota Statutes 1998, section 16B.48, subdivision 2, is amended to read:

Subd. 2. [PURPOSE OF FUNDS.] Money in the state treasury credited to the general services revolving fund and money that is deposited in the fund is appropriated annually to the commissioner for the following purposes:

- (1) to operate a central store and equipment service;
- (2) to operate a central duplication and printing service;
- (3) to operate the central mailing service, including purchasing postage and related items and refunding postage deposits;
- (4) to operate a documents service as prescribed by section 16B.51;
- (5) to provide services for the maintenance, operation, and upkeep of buildings and grounds managed by the commissioner of administration;

(6) to operate a materials handling service, including interagency mail and product delivery, solid waste removal, courier service, equipment rental, and vehicle and equipment maintenance;

~~(7) to provide analytical, statistical, and organizational development services to state agencies, local units of government, metropolitan and regional agencies, and school districts;~~

~~(8) to operate a records center and provide micrographics products and services; and~~

~~(9) (8) to perform services for any other agency. Money may be expended for this purpose only when directed by the governor. The agency receiving the services shall reimburse the fund for their cost, and the commissioner shall make the appropriate transfers when requested. The term "services" as used in this clause means compensation paid officers and employees of the state government; supplies, materials, equipment, and other articles and things used by or furnished to an agency; and utility services and other services for the maintenance, operation, and upkeep of buildings and offices of the state government.~~

Sec. 29. Minnesota Statutes 1998, section 16B.58, is amended by adding a subdivision to read:

Subd. 6a. [PARKING RESTRICTIONS.] Notwithstanding subdivision 6:

(1) parking is prohibited on the terraces adjacent to the carriage entrance on the south side of the capitol building;

(2) the ten parking spaces on Aurora Avenue closest to the main entrance of the capitol building must be reserved for parking by physically disabled persons displaying a certificate issued under section 169.345; and

(3) the remainder of the parking spaces on Aurora Avenue must be reserved for the general public during legislative sessions.

Sec. 30. [16C.065] [COST-BENEFIT ANALYSIS.]

(a) The commissioner or an agency official to whom the commissioner has delegated duties under section 16C.03, subdivision 16, may not approve a contract or purchase of goods or services in an amount greater than \$5,000,000 unless a cost-benefit analysis has been completed and shows a positive benefit to the public. The management analysis division must perform or direct the performance of the analysis. A cost-benefit analysis must be performed for a project if an aggregation of contracts or purchases for a project exceeds \$5,000,000.

(b) All cost-benefit analysis documents under this section, including preliminary drafts and notes, are public data.

(c) If a cost-benefit analysis does not show a positive benefit to the public, the governor may approve a contract or purchase of goods or services if a cost-effectiveness study had been done that shows the proposed project is the most effective way to provide a necessary public good.

(d) This section applies to contracts for goods or services that are expected to have a useful life of more than three years. This section does not apply for purchase of goods or services for response to a natural disaster if an emergency has been declared by the governor.

Sec. 31. Minnesota Statutes 1998, section 16C.16, is amended by adding a subdivision to read:

Subd. 13. [TIME LIMIT.] No business may receive a preference under this section for more than an aggregate of five years beginning with the first certification of eligibility under the program. If a business changes ownership, or otherwise changes its identity, and has received a preference for an aggregate of five years, it may not receive a subsequent preference if the person holding a controlling interest remains the same.

Sec. 32. [16D.18] [AGENCY REFERRALS.]

When a debt owed to any entity of state government for which the Minnesota collection enterprise has jurisdiction becomes 121 days past due, the state entity must refer the account to the commissioner of revenue for assignment to the Minnesota collection enterprise. This requirement does not apply if there is a dispute over the amount or validity of the debt, if the debt is the subject of legal action or administrative proceedings, or the agency determines that the debtor is adhering to acceptable payment arrangements. The commissioner of revenue, in consultation with the commissioner of finance, may provide that certain types of debt need not be referred to the commissioner for assignment to the collection enterprise under this paragraph. Methods and procedures for referral shall follow internal guidelines prepared by the commissioner of finance.

Sec. 33. Minnesota Statutes 1998, section 43A.04, is amended by adding a subdivision to read:

Subd. 12. [TOTAL COMPENSATION REPORTING.] (a) The commissioner, in consultation with the commissioner of finance, shall report to the governor and the legislature by January 15 each year on executive branch employee salary and benefits. The purpose of the report is to assist in effective long-range planning and to provide data necessary to compute annual and biennial costs related to the state workforce. The report must use data available in the biennial budget system and other necessary sources. The report also must be made available to the public in an electronic format.

(b) The report must be organized by agency. For each employee during the previous fiscal year the report must:

(1) list each employee by position number, but not by name;

(2) list the total amount the state spent, by fund, for the employee's salary and total compensation, including social security contributions, insurance, and all other benefits and related costs;

(3) list the employee's length of state service; and

(4) list the total estimated compensation for the employee's career, assuming the employee works until the normal retirement age.

Sec. 34. [43A.215] [EMPLOYEE ASSISTANCE.]

The commissioner must provide an employee assistance program of training, diagnostic assistance, and referral services for state employees and their dependents.

Sec. 35. Minnesota Statutes 1998, section 119A.05, subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY FOR FUNDING CONSOLIDATION.] Notwithstanding existing law governing allocation of funds by local grantees, mode of service delivery, grantee planning and reporting requirements, and other procedural requirements for the grant programs identified in this section, a local grantee may elect to consolidate all or a portion of funding received from the programs under subdivision 5 in a collaboration funding plan, if all conditions specified in this section are satisfied. County boards, school boards, or governing boards of other grantees may elect not to consolidate funding for a program.

For grantees electing consolidation, the commissioner may, ~~with the approval of the board of government innovation and cooperation,~~ waive all provisions of rules inconsistent with the intent of this section. This waiver authority does not apply to rules governing client protections, due process, or inclusion of clients, parents, cultures, and ethnicities in decision making. Funding to a local grantee must be determined according to the funding formulas or allocation rules governing the individual programs listed in section 119A.04.

Sec. 36. Minnesota Statutes 1998, section 136F.581, subdivision 3, is amended to read:

Subd. 3. [PROCUREMENT FROM DESIGNATED BUSINESSES.] The policies and procedures must include provisions for procurement, including construction, from small targeted group businesses and businesses from economically disadvantaged areas designated under section 16C.16. The board, colleges, and universities shall use the methods contained in section 471.345, subdivision 8, for such purchasing, or may develop additional methods in which the cost percentage preferences are consistent with the provision of section 16C.16, subdivisions 6, paragraph (a), and 7, or consistent with the provisions of the University of Minnesota's targeted group business purchasing program. The time limit for preferences is as described in section 16C.16, subdivision 13.

Sec. 37. Minnesota Statutes 1998, section 136F.66, is amended to read:

136F.66 [CAPITAL PROJECTS BIDDING PROCEDURES.]

In awarding contracts for capital projects under section 136F.64, the board shall consider the documentation provided by the bidders regarding their qualifications, including evidence of having successfully completed similar work, or delivering services or products comparable to that being requested. The board shall set procedures to administer this section, which must include practices that will assist in the economic development of small businesses, small targeted group businesses, and businesses in economically disadvantaged areas designated under section 16C.16. The time limit for preferences awarded pursuant to those procedures is as described in section 16C.16, subdivision 13.

Sec. 38. Minnesota Statutes 1998, section 138.17, subdivision 7, is amended to read:

Subd. 7. [RECORDS MANAGEMENT PROGRAM.] A records management program for the application of efficient and economical management methods to the creation, utilization, maintenance, retention, preservation, and disposal of official records shall be administered by the commissioner of administration with assistance from the director of the historical society. The state records center which stores and services state records not in state archives shall be administered by the commissioner of administration. The commissioner of administration is empowered to (1) establish standards, procedures, and techniques for effective management of government records, (2) make continuing surveys of paper work operations, and (3) recommend improvements in current records management practices including the use of space, equipment, and supplies employed in creating, maintaining, preserving and disposing of government records. It shall be the duty of the head of each state agency and the governing body of each county, municipality, and other subdivision of government to cooperate with the commissioner in conducting surveys and to establish and maintain an active, continuing program for the economical and efficient management of the records of each agency, county, municipality, or other subdivision of government. When requested by the commissioner, public officials shall assist in the preparation of an inclusive inventory of records in their custody, to which shall be attached a schedule, approved by the head of the governmental unit or agency having custody of the records and the commissioner, establishing a time period for the retention or disposal of each series of records. When the schedule is unanimously approved by the records disposition panel, the head of the governmental unit or agency having custody of the records may dispose of the type of records listed in the schedule at a time and in a manner prescribed in the schedule for particular records which were created after the approval. A list of records disposed of pursuant to this subdivision shall be forwarded to the commissioner and the archivist by the head of the governmental unit or agency. The archivist shall maintain a list of all records destroyed.

Sec. 39. Minnesota Statutes 1998, section 138.17, subdivision 8, is amended to read:

Subd. 8. [EMERGENCY RECORDS PRESERVATION.] In light of the danger of nuclear or natural disaster, the commissioner of administration, with the assistance of the director of the historical society, shall establish and maintain a program for the selection and preservation of public records considered essential to the operation of government and to the protection of the rights and interests of persons, and shall make or cause to be made preservation duplicates or designate as preservation duplicates existing copies of such essential public records. Preservation duplicates shall be durable, accurate, complete, and clear, and such duplicates reproduced by photographic or other process which accurately reproduces and forms a durable medium for so reproducing the

original shall have the same force and effect for all purposes as the original record whether the original record is in existence or not. A transcript, exemplification, or certified copy of such preservation duplicate shall be deemed for all purposes to be a transcript, exemplification, or certified copy of the original record. Such preservation duplicates shall be preserved in the place and manner of safekeeping prescribed by the commissioner.

Every county, municipality, or other subdivision of government may institute a program for the preservation of necessary documents essential to the continuity of government. Such a program shall first be submitted to the commissioner for approval or disapproval and no such program shall be instituted until such approval is obtained.

Sec. 40. Minnesota Statutes 1998, section 176.611, is amended by adding a subdivision to read:

Subd. 3b. [APPROPRIATION; WORKERS' COMPENSATION PREMIUMS.] The amount necessary to pay premiums for coverage by the workers' compensation reinsurance association under section 79.34 is appropriated annually from the general fund to the commissioner of employee relations.

Sec. 41. Minnesota Statutes 1998, section 197.79, subdivision 10, is amended to read:

Subd. 10. [DEADLINE FOR APPLICATIONS.] The application period for the bonus program established in this section shall be November 1, 1997, to June 30, 1999 2001. The department may not receive or accept new applications after June 30, 1999 2001.

Sec. 42. Minnesota Statutes 1998, section 202A.18, is amended by adding a subdivision to read:

Subd. 2a. [PREFERENCE BALLOT.] Prior to the opening of nominations for the election of permanent offices and delegates, a ballot must be distributed to permit caucus participants to indicate their preference for the offices of president of the United States or governor. The results of preference voting must be reported to the secretary of state immediately upon conclusion of the voting, in the manner provided by the secretary of state. The secretary of state shall provide the appropriate forms to the party for reporting the results.

Sec. 43. Minnesota Statutes 1998, section 202A.20, subdivision 2, is amended to read:

Subd. 2. [REPORTING CAUCUS RESULTS.] The secretary of state may provide a method for the timely reporting of caucus results to the public shall promptly report to the public the results of preference balloting at the precinct caucuses.

Sec. 44. Minnesota Statutes 1998, section 256.9753, subdivision 3, is amended to read:

Subd. 3. [EXPENDITURES.] The board shall consult with the office of citizenship and volunteer services prior to expending money available for the retired senior volunteer programs. Expenditures shall be made (1) to strengthen and expand existing retired senior volunteer programs, and (2) to encourage the development of new programs in areas in the state where these programs do not exist. Grants shall be made consistent with applicable federal guidelines.

Sec. 45. Minnesota Statutes 1998, section 297F.08, is amended by adding a subdivision to read:

Subd. 8a. [REVOLVING ACCOUNT.] A heat-applied cigarette tax stamp revolving account is created. The commissioner shall use the amounts in this fund to purchase heat-applied stamps for resale. The commissioner shall charge distributors for the tax value of the stamps they receive along with the commissioner's cost to purchase the stamps and ship them to the distributor. The stamp purchase and shipping costs recovered must be deposited into the revolving account and are available to the commissioner for further purchases and shipping costs. The revolving account is initially funded by a \$40,000 transfer from the department of revenue.

Sec. 46. Minnesota Statutes 1998, section 349.163, subdivision 4, is amended to read:

Subd. 4. [INSPECTION OF MANUFACTURERS.] Employees of the board and the division of alcohol and gambling enforcement may inspect the books, records, inventory, and business premises of a licensed manufacturer without notice during the normal business hours of the manufacturer. The board may charge a manufacturer for the actual cost of conducting scheduled or unscheduled inspections of the manufacturer's facilities, where the amount charged to the manufacturer for such inspections in any year does not exceed \$7,500. The board shall deposit in a separate account in the state treasury all money received as reimbursement for the costs of inspections. ~~Until July 1, 1999,~~ Money in the account is appropriated to the board to pay the costs of the inspections.

Sec. 47. Minnesota Statutes 1998, section 356.219, subdivision 7, is amended to read:

Subd. 7. [EXPENSE OF REPORT.] All expenses incurred relating to the investment report by the state auditor described in subdivision 6 must be ~~borne by the office of the state auditor and may not be charged back to the entities described in subdivisions 1 or 4~~ recovered by reductions to pension-related state aids otherwise payable to local units of government or public pension funds. The reductions to scheduled aid payments must be on a proportional basis. Fifty percent of the assessment must be on the basis of the proportion the number of all funds reporting under subdivision 6, and 50 percent on the basis of assets distributed against the market value of plan assets at the close of the report year expressed as a percentage of total assets for local pension funds included in the investment report under subdivision 6. The state auditor must annually certify to the commissioner of revenue and the commissioner of finance the amounts of these reductions, and the commissioners shall effect the reductions accordingly.

Sec. 48. Minnesota Statutes 1998, section 383A.322, is amended to read:

383A.322 [SMALL BUSINESS SET-ASIDE.]

Nothing in section 471.345 shall be construed to prohibit Ramsey county from adopting a resolution, rule, regulation or ordinance which on an annual basis sets aside for awarding to small businesses a percentage of the value of the county's anticipated total procurement of goods and services, including construction, otherwise subject to that section, and which uses either a negotiated price or bid contract procedure to award a procurement contract under a set-aside program allowed in this section. A set-aside program is governed by the time limits in section 16C.16, subdivision 13. Any award based on a negotiated price shall not exceed by more than five percent the county's estimated price for the goods and services if they were purchased in the open market and not under the set-aside program.

Sec. 49. Minnesota Statutes 1998, section 465.803, subdivision 3, is amended to read:

Subd. 3. [USE OF REPAYMENT REVENUE.] All grant money repaid to the board under this section is ~~appropriated to the board for additional grants authorized by sections 465.798, 465.799, and 465.801~~ must be deposited in the general fund.

Sec. 50. Minnesota Statutes 1998, section 465.81, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in sections 465.81 to 465.87, the words defined in this subdivision have the meanings given them in this subdivision.

"Board" means the board of government innovation and cooperation.

"City" means home rule charter or statutory cities.

"Governing body" means, in the case of a county, the county board; in the case of a city, the city council; and, in the case of a town, the town board.

"Local government unit" or "unit" includes counties, cities, and towns.

Sec. 51. Minnesota Statutes 1998, section 465.82, subdivision 1, is amended to read:

Subdivision 1. [ADOPTION AND STATE AGENCY REVIEW.] Each governing body that proposes to take part in a combination under sections 465.81 to 465.87 must by resolution adopt a plan for cooperation and combination. The plan must address each item in this section. The plan must be specific for any item that will occur within three years and may be general or set forth alternative proposals for an item that will occur more than three years in the future. ~~The plan must be submitted to the board of government innovation and cooperation for review and comment.~~ For a metropolitan area local government unit, the plan must ~~also~~ be submitted to the metropolitan council for review and comment. The council may point out any resources or technical assistance it may be able to provide a governing body submitting a plan under this subdivision. Significant modifications and specific resolutions of items must be submitted to the ~~board and~~ council, if appropriate, for review and comment. In the official newspaper of each local government unit proposing to take part in the combination, the governing body shall publish at least a summary of the adopted plans, each significant modification and resolution of items, and, if appropriate, the results of ~~each board and~~ council review and comment. If a territory of a unit is to be apportioned between or among two or more units contiguous to the unit that is to be apportioned, the plan must specify the area that will become a part of each remaining unit.

Sec. 52. Minnesota Statutes 1998, section 465.84, is amended to read:

465.84 [REFERENDUM.]

During the first or second year of cooperation, ~~and after approval of the plan by the board under section 465.83,~~ a referendum on the question of combination must be conducted. The referendum must be on a date called by the governing bodies of the units that propose to combine. The referendum must be conducted according to the Minnesota Election Law, as defined in section 200.01. If the referendum fails, the same question or a modified question may be submitted the following year. If the referendum fails again, the same question may not be submitted. Referendums shall be conducted on the same date in all local government units.

Sec. 53. Minnesota Statutes 1998, section 471.345, subdivision 8, is amended to read:

Subd. 8. [PROCUREMENT FROM ECONOMICALLY DISADVANTAGED PERSONS.] For purposes of this subdivision, the following terms shall have the meanings herein ascribed to them:

(a) "Small targeted group business" means businesses designated under section 16C.16.

(b) "Business entity" means an entity organized for profit, including an individual, partnership, corporation, joint venture, association, or cooperative.

Nothing in this section shall be construed to prohibit any municipality from adopting a resolution, rule, regulation, or ordinance which on an annual basis designates and sets aside for awarding to small targeted group businesses a percentage of the value of its anticipated total procurement of goods and services, including construction, and which uses either a negotiated price or bid contract procedure in the awarding of a procurement contract under a set-aside program as allowed in this subdivision, provided that any award based on a negotiated price shall not exceed by more than five percent the municipality's estimated price for the goods and services if they were purchased on the open market and not under the set-aside program. A set-aside program is governed by the time limits in section 16C.16, subdivision 13.

Sec. 54. Minnesota Statutes 1998, section 572A.02, subdivision 5, is amended to read:

Subd. 5. [DECISION FACTORS.] ~~In comprehensive planning disputes, the arbitration panel shall consider the goals stated in section 4A.08 and the following factors in making a decision. In all other disputes brought under this section, the arbitration panel shall consider the following factors in making a decision:~~

(1) present population and number of households, past population, and projected population growth of the subject area and adjacent units of local government;

(2) quantity of land within the subject area and adjacent units of local government; and natural terrain including recognizable physical features, general topography, major watersheds, soil conditions, and such natural features as rivers, lakes, and major bluffs;

(3) degree of contiguity of the boundaries between the municipality and the subject area;

(4) present pattern of physical development, planning, and intended land uses in the subject area and the municipality including residential, industrial, commercial, agricultural, and institutional land uses and the impact of the proposed action on those land uses;

(5) the present transportation network and potential transportation issues, including proposed highway development;

(6) land use controls and planning presently being utilized in the municipality and the subject area, including comprehensive plans for development in the area and plans and policies of the metropolitan council, and whether there are inconsistencies between proposed development and existing land use controls and the reasons therefore;

(7) existing levels of governmental services being provided in the municipality and the subject area, including water and sewer service, fire rating and protection, law enforcement, street improvements and maintenance, administrative services, and recreational facilities and the impact of the proposed action on the delivery of said services;

(8) existing or potential environmental problems and whether the proposed action is likely to improve or resolve these problems;

(9) plans and programs by the municipality for providing needed governmental services to the subject area;

(10) an analysis of the fiscal impact on the municipality, the subject area, and adjacent units of local government, including net tax capacity and the present bonded indebtedness, and the local tax rates of the county, school district, and township;

(11) relationship and effect of the proposed action on affected and adjacent school districts and communities;

(12) adequacy of town government to deliver services to the subject area;

(13) analysis of whether necessary governmental services can best be provided through the proposed action or another type of boundary adjustment; and

(14) if only a part of a township is annexed, the ability of the remainder of the township to continue or the feasibility of it being incorporated separately or being annexed to another municipality.

Any party to the proceeding may present evidence and testimony on any of the above factors at the hearing on the matter.

Sec. 55. Laws 1995, First Special Session chapter 3, article 12, section 10, is amended to read:

Sec. 10. [ELECTRONIC COST REDUCTION.]

The commissioner of education shall identify methods to reduce the costs of Internet access for school districts. The commissioner shall work in conjunction with ~~MN~~ the state information infrastructure, the department of administration, and the telecommunication industry to provide Internet access and long distance phone service at a favorable group rate.

Sec. 56. [DRAFTING TASK FORCE.]

The revisor of statutes, in consultation with the directors of house research and senate counsel and research, must form a task force to study the use of "must" and "shall" in legislative drafting. The revisor must report to the house of representatives and senate rules committees and the legislative coordinating commission by November 1, 1999, on the results of the study.

Sec. 57. [LOAN REPAYMENT.]

The loan made by the Minneapolis community development agency to the Minneapolis park and recreation board in 1986 to acquire property for the central riverfront regional park must not be repaid by any funds from the state of Minnesota or funds of political subdivisions of the state, including the metropolitan council.

Sec. 58. [MANAGEMENT ANALYSIS TRANSFER.]

The management analysis activity in the department of administration is transferred to the office of strategic and long-range planning under Minnesota Statutes, section 15.039.

Sec. 59. [EMPLOYEE ASSISTANCE PROGRAM.]

The state employee assistance program is transferred from the department of administration to the department of employee relations under Minnesota Statutes, section 15.039.

Sec. 60. [TRANSFER.]

The Minnesota humanities commission is transferred to the department of children, families, and learning for administrative purposes.

Sec. 61. [SALARY LIMIT.]

Subdivision 1. [EXECUTIVE BRANCH.] (a) During the fiscal year ending June 30, 2000, the aggregate amount spent by all executive branch agencies on employee salaries may not exceed 101 percent of the aggregate amount these agencies spent on employee salaries in the fiscal year ending June 30, 1999.

(b) During the fiscal year ending June 30, 2001, the aggregate amount spent by all executive branch agencies on employee salaries may not exceed 103 percent of the aggregate amount these agencies spent on employee salaries in the fiscal year ending June 30, 1999.

(c) For purposes of this section, "executive branch" has the meaning given in Minnesota Statutes, section 43A.02, subdivision 22, and includes the Minnesota state colleges and universities but not constitutional offices.

Subd. 2. [LEGISLATIVE BRANCH.] (a) During the fiscal year ending June 30, 2000, the amount spent on employee salaries by (1) the house of representatives; (2) the senate; and (3) the legislative coordinating commission and all groups under its jurisdiction may not exceed 101 percent of the amount spent on these salaries during the fiscal year ending June 30, 1999.

(b) During the fiscal year ending June 30, 2001, the amount spent on employee salaries by (1) the house of representatives; (2) the senate; and (3) the legislative coordinating commission and all groups under its jurisdiction, may not exceed 103 percent of the amount spent on these salaries during the fiscal year ending June 30, 1999. Each entity listed in clauses (1), (2), and (3) in this paragraph must be treated separately for purposes of determining compliance with this subdivision, except that the legislative coordinating commission and all groups under its jurisdiction must be treated as one unit.

Sec. 62. [APPROPRIATION REDUCTIONS.]

Subdivision 1. [APPLICATION TO OTHER LAW.] The appropriation reductions mandated by this section supersede any other law, regardless of order of final passage.

Subd. 2. [EXECUTIVE BRANCH.] (a) During the biennium ending June 30, 2001, general fund appropriations to executive branch agencies other than the Minnesota state colleges and universities for agency operations are reduced by \$38,700,000. The governor must allocate these reductions among executive branch agencies. For purposes of these reductions, "executive branch" is as defined in section 61.

(b) During the biennium ending June 30, 2001, general fund appropriations to the Minnesota state colleges and universities are reduced by \$35,000,000. The chancellor must allocate these reductions.

Subd. 3. [METHOD OF ATTAINING REDUCTIONS.] To the extent practical, the reductions required by this section must be accomplished by not filling vacancies or by replacing employees who leave state service with lower paid employees.

Sec. 63. [VOLUNTARY UNPAID LEAVE OF ABSENCE.]

Appointing authorities in state government shall encourage each employee to take an unpaid leave of absence for up to 160 hours during the period ending June 30, 2001. Each appointing authority approving such a leave shall allow the employee to continue accruing vacation and sick leave, be eligible for paid holidays and insurance benefits, accrue seniority, and accrue service credit in state retirement plans permitting service credits for authorized leaves of absence as if the employee had actually been employed during the time of the leave. If the leave of absence is for one full pay period or longer, any holiday pay shall be included in the first payroll warrant after return from the leave of absence. The appointing authority shall attempt to grant requests for unpaid leaves of absence consistent with the need to continue efficient operation of the agency. However, each appointing authority shall retain discretion to grant or refuse to grant requests for leaves of absence and to schedule and cancel leaves, subject to applicable provisions of collective bargaining agreements and compensation plans.

Sec. 64. [REVISOR'S INSTRUCTION.]

In each section of Minnesota Statutes referred to in column A, the revisor of statutes shall delete the reference in column B and insert the reference in column C.

<u>Column A</u>	<u>Column B</u>	<u>Column C</u>
<u>13.43, subd. 7</u>	<u>16B.39, subd. 2</u>	<u>43A.215</u>
<u>43A.30, subd. 5</u>	<u>16B.39</u>	<u>43A.215</u>

Sec. 65. [REPEALER.]

(a) Minnesota Statutes 1998, sections 4A.08; 4A.09; 4A.10; 15.90; 15.91; 15.92; 16A.103, subdivision 3; 16B.36; 16B.39, subdivision 2; 16B.88; 16E.11; 43A.211; 207A.01; 207A.02; 207A.03; 207A.04; 207A.06; 207A.07; 207A.08; 207A.09; 207A.10; 240A.08; 394.232; 462.3535; 473.1455; 572A.01; and 572A.03, subdivision 2, are repealed.

(b) Minnesota Statutes 1998, sections 465.795; 465.796; 465.797; 465.7971; 465.798; 465.799; 465.801; 465.802; 465.803; 465.83; 465.87; and 465.88, are repealed.

(c) Minnesota Statutes 1998, section 16A.1285, subdivisions 4 and 5, are repealed.

Sec. 66. [EFFECTIVE DATES.]

Section 41 is effective June 30, 1999.

Sections 35, 50 to 52, and 65, paragraph (b), are effective June 30, 2000.

Sections 3, 15, 20, 21, and 65, paragraph (c), are effective July 1, 2000.

Sections 4 to 6 and 13 are effective January 1, 2000.

Sections 25 to 27 and 55 are effective the day following final enactment. Sections 25 to 27 and 55 do not affect any valid contracts executed before the effective date of sections 25 to 27 and 55.

Sections 31, 36, 37, 48, and 53 are effective January 1, 2000, and apply to businesses receiving preferences that total an aggregate of five years before or after that date.

ARTICLE 3

YEAR 2000

Section 1. [604B.01] [YEAR 2000 ACTIVITIES; IMMUNITY.]

Subdivision 1. [DEFINITIONS.] For the purpose of this section, the terms defined in this section have the meanings given them.

Subd. 2. [ASSOCIATION.] "Association" means a trade, professional, governmental, or similar organization the members of which are individuals, enterprises, or governmental units engaged in similar lines of business, services, or activity.

Subd. 3. [STATE AGENCY.] "State agency" means the University of Minnesota, Minnesota state colleges and universities, and the departments, boards, agencies, and commissions in the executive, judicial, and legislative branches.

Subd. 4. [YEAR 2000 SOLUTION INFORMATION.] "Year 2000 solution information" means information related to solutions that address the inability of computer systems, software, or electronically controlled devices to recognize certain dates in 1999 and after December 31, 1999. That inability may cause disruptions in electronic communications or the functioning of electronically controlled equipment resulting or reasonably anticipated to result from erroneous data that is or may be supplied by electronic devices.

Subd. 5. [ASSOCIATION AND RELATED IMMUNITY.] No cause of action may be maintained against an association for damages or harm resulting from the collection of year 2000 solution information or the publication of that information or against any person or entity for providing year 2000 solution information to the association.

Subd. 6. [STATE AGENCY IMMUNITY.] No cause of action may be maintained against a state agency for damages or harm resulting from the collection of year 2000 solution information or the publication of that information.

Subd. 7. [GOVERNMENTAL UNIT IMMUNITY.] No cause of action may be maintained against a governmental unit as defined in section 462.384, subdivision 2, including governmental units acting jointly under section 471.59, for damages or harm resulting from the collection, publication, or dissemination of year 2000 solution information to other governmental units or to the metropolitan council or agencies.

Subd. 8. [EXCEPTION.] Subdivisions 5 to 7 do not apply if the party against whom the claim is brought knew that the year 2000 solution information provided was materially false or provided the information with reckless disregard as to the accuracy of the information.

Subd. 9. [NO IMPLIED CAUSE OF ACTION CREATED.] No liability on the part of any person or any public or private entity is implied or created by this section by the absence of a grant of immunity under this section.

Sec. 2. [604B.02] [TRIAL OF MATTERS INVOLVING Y2K PROCESSING.]

(a) For a civil cause of action involving a claim in tort, contract, product liability, or under any other legal theory arising out of damages allegedly due to a failure of Y2K processing, an action may be commenced and discovery may be conducted, but no dispositive motion may be heard or trial conducted until after January 2, 2001 unless the court determines, for good cause shown, that a failure to hear and rule on a dispositive motion would result in hardship.

(b) Actions involving a failure of Y2K processing shall be referred to a Y2K processing panel of the district court to which district judges in a sufficient number shall be assigned on and after July 1, 1999.

Sec. 3. [EMERGENCIES.]

(a) The governor may declare an emergency under this section for purposes of Minnesota Statutes, sections 12.31, 12.36, and 12.37. The governor may declare an emergency under authority of this section only to the extent that actual or potential failure of computers or electronically controlled devices creates an actual or imminent serious threat to the health or safety of persons or an actual or imminent threat of catastrophic loss to property or the environment.

(b) A declaration for purposes of Minnesota Statutes, section 12.31, must be made according to procedures in that section.

(c) The governor may declare an emergency under this section for purposes of Minnesota Statutes, section 12.36 or 12.37, without declaring a peacetime emergency under Minnesota Statutes, section 12.31. A declaration for purposes of Minnesota Statutes, section 12.36 or 12.37, may specify that it applies to all or certain units of state or local government, must specify the time period for which it applies, and must be filed with the secretary of state.

(d) This section is in addition to and does not limit authority granted to the governor or local government officials by Minnesota Statutes, chapter 12, or other law.

(e) After April 1, 2000, the governor may not use this section as authority to declare an emergency.

(f) If an emergency is declared under authority of this section, a unit of state or local government may omit compliance with the procedures and law listed in Minnesota Statutes, sections 12.36, paragraph (a), clause (2), and 12.37, clause (2), only to the extent necessary to protect health and safety of persons or avoid catastrophic loss to property or the environment. A unit of state or local government must report to the year 2000 project office in the department of administration on omitting compliance with procedures and laws. The report must be filed within 30 days of the action that did not comply with the customary laws.

Sec. 4. [YEAR 2000 PROBLEM REPORTS.]

All electric utilities, as defined in Minnesota Statutes, section 216B.38, subdivision 5, and telephone companies, as defined in Minnesota Statutes, section 237.01, subdivisions 2 and 3, must file status reports on year 2000 problems with the public utilities commission and the department of public service, with a copy to the division of emergency management of the department of public safety, on July 1 and October 1, 1999. The status report must include a statement of the percentage of the assessment phase that has been completed to date, the percentage of the remediation phase that has been completed to date, and the percentage of the testing of corrective actions phase that has been complete to date. The foregoing questions, along with others deemed appropriate, must be included in Y2K status report form that must be provided by the department of public safety, division of emergency management. If a report indicates that all year 2000 problems have been remediated, an entity need not file a subsequent report unless there has been a change.

Sec. 5. [YEAR 2000 PROBLEM EXEMPTION FROM UNIFORM MUNICIPAL CONTRACTING LAW.]

Subdivision 1. [MUNICIPAL CONTRACTS.] Minnesota Statutes, section 471.345, does not apply to the purchase or rental of supplies, materials, and equipment nor to the construction, alteration, repair, and maintenance of real or personal property if the governing body of a municipality determines that there is an urgency due to the actual or potential failure or malfunction of public infrastructure or systems critical to the delivery of municipal services due to year 2000 problems with computers and electronically controlled devices.

Subd. 2. [SPECIAL PROCEDURE.] A contract exempted from Minnesota Statutes, section 471.345, by subdivision 1 may, at the discretion of the municipality, be made by direct negotiation by obtaining two or more quotations or in the open market. All quotations shall be kept on file for a period of at least one year after receipt.

Subd. 3. [APPLICABILITY OF OTHER LAWS.] This section supersedes any inconsistent law.

Subd. 4. [REPORTS.] A municipality must report to the year 2000 project office in the department of administration on each instance in which it omitted compliance with the uniform municipal contracting law under authority of this section.

Subd. 5. [EXPIRATION.] This section applies only to a contract entered into or goods or services purchased before April 1, 2000.

Sec. 6. [DEPARTMENT OF HEALTH; YEAR 2000 ACTIVITY.]

Subdivision 1. [DEPARTMENT OF HEALTH SURVEY.] The department of health must, by July 30, 1999, survey all hospitals, nursing homes, nontransient noncommunity water systems operated by a public entity, and community water supply systems for year 2000 problems and solutions related to their operations. The department, upon request, must disseminate information about those year 2000 problems and proposed solutions to hospitals, nursing homes, and water supply system operators in a prompt and reasonable manner.

Subd. 2. [STATUS REPORTS.] All hospitals, nursing homes, nontransient noncommunity water systems operated by a public entity, and community water supply systems must file status reports on year 2000 problems with the department of health, with a copy to the division of emergency management of the department of public safety, on July 1 and October 1, 1999. The status report must include a statement of the percentage of the assessment phase that has been completed to date, the percentage of the remediation phase that has been completed to date, and the percentage of the testing of corrective actions phase that has been completed to date. The foregoing questions, along with others deemed appropriate, must be included in a Y2K status report form that must be provided by the department of public safety, division of emergency management. If there has been no change since the previous report, the report may indicate only that no change has occurred.

Sec. 7. [DEPARTMENT OF HUMAN SERVICES; YEAR 2000 ACTIVITY.]

If year 2000 computer problems create a failure or malfunction in the infrastructure or systems used by the department of human services for payment to health care providers under state government programs or counties, the commissioner of human services shall continue to pay all health care providers paid under state government programs or counties by manual warrant or other measures within the statutorily required time period.

Sec. 8. [STATUS REPORTS.]

(a) The recipients of the status reports required by sections 4 and 6, subdivision 2, including the division of emergency management, shall consult with those required to file those reports concerning the form of the report.

(b) All reports provided under sections 4 and 6 shall be considered Year 2000 Readiness Disclosures.

Sec. 9. [YEAR 2000 LOAN FUND.]

(a) \$20,000,000 is appropriated from the budget reserve account in the general fund in fiscal year 1999 to the commissioner of finance to capitalize a fund, to be used to make loans to school districts; counties; joint powers boards; home rule charter and statutory cities; and towns to meet the costs they incur in addressing year 2000 problems.

(b) A loan may not be made until the year 2000 project office of the department of administration certifies to the commissioner of finance that:

(1) the proposed use of the loan is related only to remediation of a year 2000 problem;

(2) the unit of local government has insufficient resources available to address year 2000 problems; and

(3) the loan would be used to remediate problems that are likely to affect public health and safety or cause catastrophic loss to property or the environment.

(c) The local units of government that received the loans must repay them by June 30, 2001. Interest is payable on the loan at the rate earned by the state on invested treasurer's cash, as determined monthly by the commissioner of finance. Repayments must be deposited in the budget reserve account.

(d) A unit of local government receiving a loan under this section must report to the year 2000 project office in the department of administration within 60 days of receiving the loan. The report must state how the loan was used in accordance with the criteria of paragraph (b).

(e) This appropriation cancels April 1, 2000.

Any canceled money must be deposited in the budget reserve account.

Sec. 10. [COMMISSIONER REVIEW.]

The commissioner of administration, through staff of the Y2K project office, is responsible for reviewing use of emergency authority and emergency funds under this act and shall review reports from state agencies and political subdivisions under sections 3, 4, 5, and 10. If the commissioner determines that funds obtained under section 10 were not used in a manner consistent with the requirements of section 10, paragraph (b), the political subdivision must pay interest on the loan at the rate of 12 percent, compounded annually from the time the loan was received.

Sec. 11. [EFFECTIVE DATE.]

Sections 1 to 10 are effective the day following final enactment.

ARTICLE 4

CONFORMING CHANGES

Section 1. Minnesota Statutes 1998, section 14.131, is amended to read:

14.131 [STATEMENT OF NEED AND REASONABLENESS.]

Before the agency orders the publication of a rulemaking notice required by section 14.14, subdivision 1a, the agency must prepare, review, and make available for public review a statement of the need for and reasonableness of the rule. The statement of need and reasonableness must be prepared under rules adopted by the chief administrative law judge and must include the following to the extent the agency, through reasonable effort, can ascertain this information:

(1) a description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule;

(2) the probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues;

(3) a determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule;

(4) a description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule;

(5) the probable costs of complying with the proposed rule; and

(6) an assessment of any differences between the proposed rule and existing federal regulations and a specific analysis of the need for and reasonableness of each difference.

~~For rules setting, adjusting, or establishing regulatory, licensure, or other charges for goods and services, the statement of need and reasonableness must include the comments and recommendations of the commissioner of finance and must address any fiscal and policy concerns raised during the review process, as required by section 16A.1285.~~

The statement must describe how the agency, in developing the rules, considered and implemented the legislative policy supporting performance-based regulatory systems set forth in section 14.002.

The statement must also describe the agency's efforts to provide additional notification to persons or classes of persons who may be affected by the proposed rule or must explain why these efforts were not made.

The agency must send a copy of the statement of need and reasonableness to the legislative reference library when it becomes available for public review.

Sec. 2. Minnesota Statutes 1998, section 14.23, is amended to read:

14.23 [STATEMENT OF NEED AND REASONABLENESS.]

Before the date of the section 14.22 notice, the agency shall prepare a statement of need and reasonableness, which must be available to the public. The statement of need and reasonableness must include the analysis required in section 14.131 ~~and the comments and recommendations of the commissioner of finance, and must address any fiscal and policy concerns raised during the review process, as required by section 16A.1285.~~ The statement must also describe the agency's efforts to provide additional notification to persons or classes of persons who may be affected by the proposed rules or must explain why these efforts were not made. For at least 30 days following the notice, the agency shall afford the public an opportunity to request a public hearing and to submit data and views on the proposed rule in writing.

The agency shall send a copy of the statement of need and reasonableness to the legislative reference library when it becomes available to the public.

Sec. 3. Minnesota Statutes 1998, section 16B.748, is amended to read:

16B.748 [RULES.]

The commissioner may adopt rules for the following purposes:

(1) ~~to set a fee under section 16A.1285 for processing a construction or installation permit or elevator contractor license application;~~

(2) ~~to set a fee under section 16A.1285 to cover the cost of elevator inspections;~~

(3) to establish minimum qualifications for elevator inspectors that must include possession of a current elevator constructor electrician's license issued by the state board of electricity and proof of successful completion of the national elevator industry education program examination or equivalent experience;

(4) (2) to establish criteria for the qualifications of elevator contractors;

(5) (3) to establish elevator standards under sections 16B.61, subdivisions 1 and 2, and 16B.64;

(6) (4) to establish procedures for appeals of decisions of the commissioner under chapter 14 and procedures allowing the commissioner, before issuing a decision, to seek advice from the elevator trade, building owners or managers, and others knowledgeable in the installation, construction, and repair of elevators; and

(7) (5) to establish requirements for the registration of all elevators.

Sec. 4. Minnesota Statutes 1998, section 18.54, is amended to read:

18.54 [LOCAL SALES AND MISCELLANEOUS.]

Subdivision 1. [SERVICES AND FEES.] The commissioner may make small lot inspections or perform other necessary services for which another charge is not specified. For these services the commissioner shall set a fee plus expenses that will recover the cost of performing this service, ~~as provided in section 16A.1285.~~ The commissioner may set an additional acreage fee for inspection of seed production fields for exporters in order to meet domestic and foreign plant quarantine requirements.

Subd. 2. [VIRUS DISEASE-FREE CERTIFICATION.] The commissioner shall have the authority to provide special services such as virus disease-free certification and other similar programs. Participation by nursery stock growers shall be voluntary. Plants offered for sale as certified virus-free must be grown according to certain procedures in a manner defined by the commissioner for the purpose of eliminating viruses and other injurious disease or insect pests. The commissioner shall collect reasonable fees from participating nursery stock growers for services and materials that are necessary to conduct this type of work, ~~as provided in section 16A.1285.~~

Sec. 5. Minnesota Statutes 1998, section 21.92, is amended to read:

21.92 [SEED INSPECTION FUND.]

There is established in the state treasury an account known as the seed inspection fund. Fees and penalties collected by the commissioner under sections 21.80 to 21.92 and interest attributable to money in the account shall be deposited into this account. ~~The rates at which the fees are charged may be adjusted pursuant to section 16A.1285.~~

Sec. 6. Minnesota Statutes 1998, section 60A.964, subdivision 1, is amended to read:

Subdivision 1. [AMOUNT.] The licensing fee for a viatical settlement provider license is \$750 for initial licensure and \$250 for each annual renewal. ~~The commissioner may adjust the fees as provided under section 16A.1285 to recover the costs of administration and enforcement.~~ The fees must be limited to the cost of license administration and enforcement and must be deposited in the state treasury, credited to a special account, and appropriated to the commissioner.

Sec. 7. Minnesota Statutes 1998, section 60A.972, subdivision 3, is amended to read:

Subd. 3. [FEES.] The licensing fee for a viatical settlement broker is \$750 for initial licensure and \$250 for each annual renewal. Failure to pay the renewal fee within the time required by the commissioner results in an automatic revocation of the license. ~~The commissioner may adjust the fees as provided under section 16A.1285 to recover the costs of administration and enforcement.~~ The fees must be limited to the cost of license administration and enforcement and must be deposited in the state treasury, credited to a special account, and appropriated to the commissioner.

Sec. 8. Minnesota Statutes 1998, section 97B.025, is amended to read:

97B.025 [ADVANCED HUNTER EDUCATION.]

The commissioner may establish advanced education courses for hunters and trappers. The commissioner, with the approval of the commissioner of finance, may impose a fee not to exceed \$10 for each person attending an advanced education course. ~~The commissioner shall establish the fee under section 16A.1285.~~

Sec. 9. Minnesota Statutes 1998, section 103G.301, subdivision 2, is amended to read:

Subd. 2. [PERMIT APPLICATION FEES.] (a) An application for a permit authorized under this chapter, and each request to amend or transfer an existing permit, must be accompanied by a permit application fee to defray the costs of receiving, recording, and processing the application or request to amend or transfer.

~~(b) The application fee for a permit to appropriate water, a permit to construct or repair a dam that is subject to dam safety inspection, a state general permit, or to apply for the state water bank program is \$75. The application fee for a permit to work in public waters or to divert waters for mining must be at least \$75, but not more than \$500, in accordance with a schedule of fees adopted under section 16A.1285.~~

Sec. 10. Minnesota Statutes 1998, section 103I.525, subdivision 9, is amended to read:

Subd. 9. [INCOMPLETE OR LATE RENEWAL.] If a licensee fails to submit all information required for renewal in subdivision 8 or submits the application and information after the required renewal date:

(1) the licensee must include an additional late fee set by the commissioner ~~under section 16A.1285~~; and

(2) the licensee may not conduct activities authorized by the well contractor's license until the renewal application, renewal application fee, late fee, and all other information required in subdivision 8 are submitted.

Sec. 11. Minnesota Statutes 1998, section 103I.531, subdivision 9, is amended to read:

Subd. 9. [INCOMPLETE OR LATE RENEWAL.] If a licensee fails to submit all information required for renewal in subdivision 8 or submits the application and information after the required renewal date:

(1) the licensee must include an additional late fee set by the commissioner ~~under section 16A.1285~~; and

(2) the licensee may not conduct activities authorized by the limited well contractor's license until the renewal application, renewal application fee, and late fee, and all other information required in subdivision 8 are submitted.

Sec. 12. Minnesota Statutes 1998, section 103I.535, subdivision 9, is amended to read:

Subd. 9. [INCOMPLETE OR LATE RENEWAL.] If a licensee fails to submit all information required for renewal in subdivision 8 or submits the application and information after the required renewal date:

(1) the licensee must include an additional late fee set by the commissioner ~~under section 16A.1285~~; and

(2) the licensee may not conduct activities authorized by the elevator shaft contractor's license until the renewal application, renewal application fee, and late fee, and all other information required in subdivision 8 are submitted.

Sec. 13. Minnesota Statutes 1998, section 103I.541, subdivision 5, is amended to read:

Subd. 5. [INCOMPLETE OR LATE RENEWAL.] If a registered person submits a renewal application after the required renewal date:

(1) the registered person must include an additional late fee set by the commissioner ~~under section 16A.1285~~; and

(2) the registered person may not conduct activities authorized by the monitoring well contractor's registration until the renewal application, renewal application fee, late fee, and all other information required in subdivision 4 are submitted.

Sec. 14. Minnesota Statutes 1998, section 115B.49, subdivision 2, is amended to read:

Subd. 2. [REVENUE SOURCES.] Revenue from the following sources must be deposited in the state treasury and credited to the account:

- (1) the proceeds of the fees imposed by subdivision 4;
- (2) interest attributable to investment of money in the account;
- (3) penalties and interest collected under subdivision 4, paragraph ~~(d)~~ (c); and
- (4) money received by the commissioner for deposit in the account in the form of gifts, grants, and appropriations.

Sec. 15. Minnesota Statutes 1998, section 115B.49, subdivision 4, is amended to read:

Subd. 4. [REGISTRATION; FEES.] (a) The owner or operator of a drycleaning facility shall register on or before July 1 of each year with the commissioner of revenue in a manner prescribed by the commissioner of revenue and pay a registration fee for the facility. The amount of the fee is:

- (1) \$500, for facilities with a full-time equivalence of fewer than five;
- (2) \$1,000, for facilities with a full-time equivalence of five to ten; and
- (3) \$1,500, for facilities with a full-time equivalence of more than ten.

(b) A person who sells drycleaning solvents for use by drycleaning facilities in the state shall collect and remit to the commissioner of revenue in a manner prescribed by the commissioner of revenue, on or before the 20th day of the month following the month in which the sales of drycleaning solvents are made, a fee of:

- (1) \$3.50 for each gallon of perchloroethylene sold for use by drycleaning facilities in the state; and
- (2) 70 cents for each gallon of hydrocarbon-based drycleaning solvent sold for use by drycleaning facilities in the state.

~~(c) The commissioner shall, after a public hearing but notwithstanding section 16A.1285, subdivision 4, annually adjust the fees in this subdivision as necessary to maintain annual income of at least:~~

- ~~(1) \$600,000 beginning July 1, 1997;~~
- ~~(2) \$700,000 beginning July 1, 1998; and~~
- ~~(3) \$800,000 beginning July 1, 1999.~~

~~Any adjustment under this paragraph must be prorated among all the fees in this subdivision. After adjustment under this paragraph, the fees in this subdivision must not be greater than two times their original amount. The commissioner shall notify the commissioner of revenue of an adjustment under this paragraph no later than March 1 of the year in which the adjustment is to become effective. The adjustment is effective for sales of drycleaning solvents made, and annual registration fees due, beginning on July 1 of the same year.~~

(†) To enforce this subdivision, the commissioner of revenue may examine documents, assess and collect fees, conduct investigations, issue subpoenas, grant extensions to file returns and pay fees, impose penalties and interest on the annual registration fee under paragraph (a) and the monthly fee under paragraph (b), abate penalties and interest, and administer appeals, in the manner provided in chapters 270 and 289A. The penalties and interest imposed on taxes under chapter 297A apply to the fees imposed under this subdivision. Disclosure of data collected by the commissioner of revenue under this subdivision is governed by chapter 270B.

Sec. 16. Minnesota Statutes 1998, section 115B.491, subdivision 2, is amended to read:

Subd. 2. [RETURN REQUIRED.] On or before the 20th of each calendar month, every drycleaning facility that has purchased drycleaning solvents for use in this state during the preceding calendar month, upon which the fee imposed by section 115B.49, subdivision 4, paragraph (b), has not been paid to the seller of the drycleaning solvents, shall file a return with the commissioner of revenue showing the quantity of solvents purchased and a computation of the fee under section 115B.49, subdivision 4, paragraph (†) (c). The fee must accompany the return. The return must be made upon a form furnished and prescribed by the commissioner of revenue and must contain such other information as the commissioner of revenue may require.

Sec. 17. Minnesota Statutes 1998, section 115B.491, subdivision 3, is amended to read:

Subd. 3. [APPLICABILITY.] All of the provisions of section 115B.49, subdivision 4, paragraph (†) (c), apply to this section.

Sec. 18. Minnesota Statutes 1998, section 116.07, subdivision 4d, is amended to read:

Subd. 4d. [PERMIT FEES.] (a) The agency may collect permit fees in amounts not greater than those necessary to cover the reasonable costs of reviewing and acting upon applications for agency permits and implementing and enforcing the conditions of the permits pursuant to agency rules. Permit fees shall not include the costs of litigation. ~~The agency shall adopt rules under section 16A.1285 establishing a system for charging permit fees collected under this subdivision.~~ The fee schedule must reflect reasonable and routine permitting, implementation, and enforcement costs. The agency may impose an additional enforcement fee to be collected for a period of up to two years to cover the reasonable costs of implementing and enforcing the conditions of a permit under the rules of the agency. Any money collected under this paragraph shall be deposited in the environmental fund.

(b) Notwithstanding paragraph (a), and section 16A.1285, subdivision 2, the agency shall collect an annual fee from the owner or operator of all stationary sources, emission facilities, emissions units, air contaminant treatment facilities, treatment facilities, potential air contaminant storage facilities, or storage facilities subject to the requirement to obtain a permit under subchapter V of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., or section 116.081. The annual fee shall be used to pay for all direct and indirect reasonable costs, including attorney general costs, required to develop and administer the permit program requirements of subchapter V of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., and sections of this chapter and the rules adopted under this chapter related to air contamination and noise. Those costs include the reasonable costs of reviewing and acting upon an application for a permit; implementing and enforcing statutes, rules, and the terms and conditions of a permit; emissions, ambient, and deposition monitoring; preparing generally applicable regulations; responding to federal guidance; modeling, analyses, and demonstrations; preparing inventories and tracking emissions; and providing information to the public about these activities.

(c) The agency shall ~~adopt fee rules in accordance with the procedures in section 16A.1285, subdivision 5, set fees that:~~

(1) will result in the collection, in the aggregate, from the sources listed in paragraph (b), of an amount not less than \$25 per ton of each volatile organic compound; pollutant regulated under United States Code, title 42, section 7411 or 7412 (section 111 or 112 of the federal Clean Air Act); and each pollutant, except carbon monoxide, for which a national primary ambient air quality standard has been promulgated;

(2) may result in the collection, in the aggregate, from the sources listed in paragraph (b), of an amount not less than \$25 per ton of each pollutant not listed in clause (1) that is regulated under this chapter or air quality rules adopted under this chapter; and

(3) shall collect, in the aggregate, from the sources listed in paragraph (b), the amount needed to match grant funds received by the state under United States Code, title 42, section 7405 (section 105 of the federal Clean Air Act).

The agency must not include in the calculation of the aggregate amount to be collected under clauses (1) and (2) any amount in excess of 4,000 tons per year of each air pollutant from a source. The increase in air permit fees to match federal grant funds shall be a surcharge on existing fees. The commissioner may not collect the surcharge after the grant funds become unavailable. In addition, the commissioner shall use nonfee funds to the extent practical to match the grant funds so that the fee surcharge is minimized.

(d) To cover the reasonable costs described in paragraph (b), the agency shall provide in the rules promulgated under paragraph (c) for an increase in the fee collected in each year by the percentage, if any, by which the Consumer Price Index for the most recent calendar year ending before the beginning of the year the fee is collected exceeds the Consumer Price Index for the calendar year 1989. For purposes of this paragraph the Consumer Price Index for any calendar year is the average of the Consumer Price Index for all-urban consumers published by the United States Department of Labor, as of the close of the 12-month period ending on August 31 of each calendar year. The revision of the Consumer Price Index that is most consistent with the Consumer Price Index for calendar year 1989 shall be used.

(e) Any money collected under paragraphs (b) to (d) must be deposited in an air quality account in the environmental fund and must be used solely for the activities listed in paragraph (b).

(f) Persons who wish to construct or expand an air emission facility may offer to reimburse the agency for the costs of staff overtime or consultant services needed to expedite permit review. The reimbursement shall be in addition to fees imposed by paragraphs (a) to (d). When the agency determines that it needs additional resources to review the permit application in an expedited manner, and that expediting the review would not disrupt air permitting program priorities, the agency may accept the reimbursement. Reimbursements accepted by the agency are appropriated to the agency for the purpose of reviewing the permit application. Reimbursement by a permit applicant shall precede and not be contingent upon issuance of a permit and shall not affect the agency's decision on whether to issue or deny a permit, what conditions are included in a permit, or the application of state and federal statutes and rules governing permit determinations.

Sec. 19. Minnesota Statutes 1998, section 116.12, is amended to read:

116.12 [HAZARDOUS WASTE ADMINISTRATION FEES.]

Subdivision 1. [FEE SCHEDULES.] The agency shall establish the fees provided in subdivisions 2 and 3 ~~in the manner provided in section 16A.1285~~ to cover expenditures of amounts appropriated from the environmental fund to the agency for permitting, monitoring, inspection, and enforcement expenses of the hazardous waste activities of the agency.

Subd. 2. [HAZARDOUS WASTE GENERATOR FEE.] (a) Each generator of hazardous waste shall pay a fee on the hazardous waste generated by that generator. ~~The agency shall adopt rules in accordance with chapter 14 establishing a system for charging fees to generators. The rules must include the basis for determining the amount of fees, and procedures and deadlines for payment of fees.~~ The agency shall base the amount of fees on the quantity of hazardous waste generated and may charge a minimum fee for each generator not exempted by the agency. In adopting the fee rules, the agency shall consider:

(1) reducing the fees for generators using environmentally beneficial hazardous waste management methods, including recycling;

- (2) the agency resources allocated to regulating the various sizes or types of generators;
 - (3) adjusting fees for sizes or types of generators that would bear a disproportionate share of the fees to be collected; and
 - (4) whether implementing clauses (1) to (3) would require excessive staff time compared to staff time available for providing technical assistance to generators or would make the fee system difficult for generators to understand.
- (b) The agency may exempt generators of very small quantities of hazardous wastes otherwise subject to the fee if it finds that the cost of administering a fee on those generators is excessive relative to the proceeds of the fee.
- (c) The agency shall reduce fees charged to generators in counties which also charge generator fees to reflect a lesser level of activity by the agency in those counties. The fees charged by the agency in those counties shall be collected by the counties in the manner in which and at the same time as those counties collect their generator fees. Counties shall remit to the agency the amount of the fees charged by the agency by the last day of the month following the month in which they were collected. If a county does not collect or remit generator fees due to the agency, the agency may collect fees from generators in that county according to rules adopted under paragraph (a).
- (d) The agency may not impose a volume-based fee under this subdivision on material that is reused at the facility where the material is generated in a manner that the facility owner or operator can demonstrate does not increase the toxicity of, or the level of hazardous substances or pollutants or contaminants in, products that leave the facility. The agency may impose a flat annual fee on a facility that generates the type of material described in the preceding sentence, provided that the fee reflects the reasonable and necessary costs of inspections of the facility.

Subd. 3. [FACILITY FEES.] The agency shall charge hazardous waste facility fees including, but not limited to, an original permit fee, a reissuance fee, a major modification fee, and an annual facility fee for any hazardous waste facility regulated by the agency. ~~The agency shall adopt rules in accordance with chapter 14 establishing a system for charging hazardous waste facility fees.~~ The agency may exempt facilities otherwise subject to the fee if regulatory oversight of those facilities is minimal. The agency may include reasonable and necessary costs of any environmental review required under chapter 116D in the original permit fee for any hazardous waste facility.

Sec. 20. Minnesota Statutes 1998, section 116C.834, subdivision 1, is amended to read:

Subdivision 1. [COSTS.] All costs incurred by the state to carry out its responsibilities under the compact and under sections 116C.833 to 116C.843 shall be paid by generators of low-level radioactive waste in this state through fees assessed by the pollution control agency. ~~The agency shall assess the fees in the manner provided in section 16A.1285.~~ Fees may be reasonably assessed on the basis of volume or degree of hazard of the waste produced by a generator. Costs for which fees may be assessed include, but are not limited to:

- (1) the state contribution required to join the compact;
- (2) the expenses of the Commission member and state agency costs incurred to support the work of the Interstate Commission; and
- (3) regulatory costs.

Sec. 21. Minnesota Statutes 1998, section 144.98, subdivision 3, is amended to read:

Subd. 3. [FEES.] (a) An application for certification under subdivision 1 must be accompanied by the biennial fee specified in this subdivision. The fees are for:

- (1) base certification fee, \$500; and

(2) test category certification fees:

Test Category	Certification Fee
Bacteriology	\$200
Inorganic chemistry, fewer than four constituents	\$100
Inorganic chemistry, four or more constituents	\$300
Chemistry metals, fewer than four constituents	\$200
Chemistry metals, four or more constituents	\$500
Volatile organic compounds	\$600
Other organic compounds	\$600

(b) The total biennial certification fee is the base fee plus the applicable test category fees. The biennial certification fee for a contract laboratory is 1.5 times the total certification fee.

(c) Laboratories located outside of this state that require an on-site survey will be assessed an additional \$1,200 fee.

(d) ~~The commissioner of health may adjust fees under section 16A.1285 without rulemaking.~~ Fees must be set so that the total fees support the laboratory certification program. Direct costs of the certification service include program administration, inspections, the agency's general support costs, and attorney general costs attributable to the fee function.

Sec. 22. Minnesota Statutes 1998, section 176.102, subdivision 14, is amended to read:

Subd. 14. [FEES.] The commissioner shall impose fees ~~under section 16A.1285~~ sufficient to cover the cost of approving and monitoring qualified rehabilitation consultants, consultant firms, and vendors of rehabilitation services. These fees are payable to the special compensation fund.

Sec. 23. Minnesota Statutes 1998, section 183.375, subdivision 5, is amended to read:

Subd. 5. [FEES.] All fees collected by the division of boiler inspection shall be paid into the state treasury in the manner provided by law for fees received by other state departments and credited to the general fund. ~~When fees are to be set by the commissioner, they shall be set pursuant to section 16A.1285.~~

Sec. 24. Minnesota Statutes 1998, section 223.17, subdivision 3, is amended to read:

Subd. 3. [GRAIN BUYERS AND STORAGE FUND; FEES.] The commissioner shall set the fees for inspections under sections 223.15 to 223.22 at levels necessary to pay the expenses of administering and enforcing sections 223.15 to 223.22. ~~These fees may be adjusted pursuant to the provisions of section 16A.1285.~~

The fee for any license issued or renewed after June 30, 1997, shall be set according to the following schedule:

(a) \$100 plus \$50 for each additional location for grain buyers whose gross annual purchases are less than \$100,000;

(b) \$200 plus \$50 for each additional location for grain buyers whose gross annual purchases are at least \$100,000, but not more than \$750,000;

(c) \$300 plus \$100 for each additional location for grain buyers whose gross annual purchases are more than \$750,000 but not more than \$1,500,000;

(d) \$400 plus \$100 for each additional location for grain buyers whose gross annual purchases are more than \$1,500,000 but not more than \$3,000,000; and

(e) \$500 plus \$100 for each additional location for grain buyers whose gross annual purchases are more than \$3,000,000.

There is created in the state treasury the grain buyers and storage fund. Money collected pursuant to sections 223.15 to 223.19 shall be paid into the state treasury and credited to the grain buyers and storage fund and is appropriated to the commissioner for the administration and enforcement of sections 223.15 to 223.22.

Sec. 25. Minnesota Statutes 1998, section 239.101, subdivision 4, is amended to read:

Subd. 4. [SETTING WEIGHTS AND MEASURES FEES.] The department shall review its schedule of inspection fees at the end of each six months. ~~When a review indicates that the schedule of inspection fees should be adjusted, the commissioner shall fix the fees by rule, in accordance with section 16A.1285, to ensure that the fees charged are sufficient to recover all costs connected with the inspections.~~

Sec. 26. Minnesota Statutes 1998, section 299M.04, is amended to read:

299M.04 [RULES; FEES; ORDERS; PENALTIES.]

The commissioner shall adopt permanent rules for operation of the council; regulation by municipalities; ~~permit, filing, inspection, certificate, and license fees;~~ qualifications, examination, and licensing of fire protection contractors; certification of journeyman sprinkler fitters; registration of apprentices; and the administration and enforcement of this chapter. ~~Fees must be set under section 16A.1285.~~ Permit fees must be a percentage of the total cost of the fire protection work.

The commissioner may issue a cease and desist order to cease an activity considered an immediate risk to public health or public safety. The commissioner shall adopt permanent rules governing when an order may be issued; how long the order is effective; notice requirements; and other procedures and requirements necessary to implement, administer, and enforce the provisions of this chapter.

The commissioner, in place of or in addition to licensing sanctions allowed under this chapter, may impose a civil penalty not greater than \$1,000 for each violation of this chapter or rule adopted under this chapter, for each day of violation. The commissioner shall adopt permanent rules governing and establishing procedures for implementation, administration, and enforcement of this paragraph.

Sec. 27. Minnesota Statutes 1998, section 326.50, is amended to read:

326.50 [APPLICATION; FEES.]

Application for an individual contracting pipefitter competency or an individual journeyman pipefitter competency license shall be made to the department of labor and industry, with fees. The applicant shall be licensed only after passing an examination by the department of labor and industry. ~~Fees and conditions for renewal of an individual contracting pipefitter competency or an individual journeyman pipefitter competency license shall be determined by the department by rule under chapter 14 and section 16A.1285.~~

Sec. 28. Minnesota Statutes 1998, section 326.86, subdivision 1, is amended to read:

Subdivision 1. [LICENSING FEE.] The licensing fee for persons licensed pursuant to sections 326.83 to 326.991 is \$75 per year. ~~The commissioner may adjust the fees under section 16A.1285 to recover the costs of administration and enforcement.~~ The fees must be limited to the cost of license administration and enforcement and must be deposited in the state treasury and credited to the general fund.

Sec. 29. [EFFECTIVE DATE.]

This article is effective July 1, 2000.

Delete the title and insert:

"A bill for an act relating to state government; appropriating money for the general administrative expenses of state government; modifying provisions relating to state government operations; amending Minnesota Statutes 1998, sections 3.099, subdivision 3; 3.3005, by adding a subdivision; 3.305, by adding subdivisions; 3.85, subdivision 3; 8.15, subdivisions 1, 2, and 3; 13.03, subdivision 2; 13.05, by adding a subdivision; 13.073, by adding a subdivision; 14.131; 14.23; 15.0591, subdivision 2; 15.50, subdivision 2; 16A.102, subdivision 1; 16A.103, subdivision 1; 16A.11, by adding a subdivision; 16A.45, subdivision 1; 16B.31, subdivision 2; 16B.415; 16B.46; 16B.465; 16B.48, subdivision 2; 16B.58, by adding a subdivision; 16B.748; 16C.16, by adding a subdivision; 18.54; 21.92; 43A.04, by adding a subdivision; 60A.964, subdivision 1; 60A.972, subdivision 3; 97B.025; 103G.301, subdivision 2; 103I.525, subdivision 9; 103I.531, subdivision 9; 103I.535, subdivision 9; 103I.541, subdivision 5; 115B.49, subdivisions 2 and 4; 115B.491, subdivisions 2 and 3; 116.07, subdivision 4d; 116.12; 116C.834, subdivision 1; 119A.05, subdivision 1; 136F.581, subdivision 3; 136F.66; 138.17, subdivisions 7 and 8; 144.98, subdivision 3; 176.102, subdivision 14; 176.611, by adding a subdivision; 183.375, subdivision 5; 197.79, subdivision 10; 202A.18, by adding a subdivision; 202A.20, subdivision 2; 223.17, subdivision 3; 239.101, subdivision 4; 256.9753, subdivision 3; 297F.08, by adding a subdivision; 299M.04; 326.50; 326.86, subdivision 1; 349.163, subdivision 4; 356.219, subdivision 7; 383A.322; 465.803, subdivision 3; 465.81, subdivision 2; 465.82, subdivision 1; 465.84; 471.345, subdivision 8; 572A.02, subdivision 5; Laws 1995, First Special Session chapter 3, article 12, section 10; proposing coding for new law in Minnesota Statutes, chapters 3; 4A; 16A; 16C; 16D; and 43A; proposing coding for new law as Minnesota Statutes, chapter 604B; repealing Minnesota Statutes 1998, sections 4A.08; 4A.09; 4A.10; 15.90; 15.91; 15.92; 16A.103, subdivision 3; 16A.1285, subdivisions 4 and 5; 16B.36; 16B.39, subdivision 2; 16B.88; 16E.11; 43A.211; 207A.01; 207A.02; 207A.03; 207A.04; 207A.06; 207A.07; 207A.08; 207A.09; 207A.10; 240A.08; 394.232; 462.3535; 465.795; 465.796; 465.797; 465.7971; 465.798; 465.799; 465.801; 465.802; 465.803; 465.83; 465.87; 465.88; 473.1455; 572A.01; and 572A.03, subdivision 2."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 589, 1558 and 2333 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 807, 1204, 1645 and 1715 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Molnau introduced:

H. F. No. 2408, A bill for an act relating to transportation; changing passenger automobile registration tax; establishing mobility fund for public transit; dedicating five percent of sales tax on motor vehicles to mobility fund;

requiring land use standards for metropolitan transitways; defining eligibility for certain public transit funding; appropriating money; amending Minnesota Statutes 1998, sections 168.013, subdivision 1a; 297B.09, subdivision 1; and 473.25; proposing coding for new law in Minnesota Statutes, chapters 174; and 473.

The bill was read for the first time and referred to the Committee on Transportation Finance.

McElroy, Abrams, Rifenberg and Milbert introduced:

H. F. No. 2409, A bill for an act relating to taxation; property tax; providing that certain governing bodies must adopt resolutions to increase levies; proposing coding for new law in Minnesota Statutes, chapter 275.

The bill was read for the first time and referred to the Committee on Taxes.

FISCAL CALENDAR

Pursuant to rule 1.22, Bishop requested immediate consideration of H. F. No. 1467.

H. F. No. 1467 was reported to the House.

Mariani moved to amend H. F. No. 1467, the third engrossment, as follows:

Page 43, line 26, delete "\$2.46" and insert "\$7.60"

Page 46, line 34, increase the fiscal year 2000 amount for early childhood family education aid by \$1,750,000

Page 46, line 36, to page 47, line 3, adjust the numbers accordingly

Page 48, line 18, delete "\$22,121,000" and insert "\$20,371,000"

Page 48, line 20, delete "\$2,500,000" and insert "\$750,000"

A roll call was requested and properly seconded.

The question was taken on the Mariani amendment and the roll was called. There were 58 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Johnson	Luther	Orfield	Skoe
Bakk	Gleason	Juhnke	Mahoney	Osthoff	Skoglund
Biernat	Gray	Kahn	Mariani	Otremba	Solberg
Carlson	Greenfield	Kalis	Marko	Paymar	Tomassoni
Carruthers	Greiling	Kelliher	McCollum	Pelowski	Trimble
Chaudhary	Hausman	Koskinen	McGuire	Peterson	Tunheim
Clark, K.	Hilty	Kubly	Milbert	Pugh	Wagenius
Dawkins	Huntley	Larson, D.	Mullery	Rest	Wejcman
Dorn	Jaros	Leighton	Murphy	Rukavina	
Entenza	Jennings	Lieder	Opatz	Schumacher	

Those who voted in the negative were:

Abeler	Bishop	Broecker	Clark, J.	Dehler	Erhardt
Abrams	Boudreau	Buesgens	Daggett	Dempsey	Erickson
Anderson, B.	Bradley	Cassell	Davids	Dorman	Finseth

Fuller	Holsten	Mares	Pawlenty	Stang	Westfall
Gerlach	Howes	McElroy	Reuter	Storm	Westrom
Goodno	Kielkucki	Molnau	Rhodes	Swenson	Wilkin
Gunther	Knoblach	Mulder	Rifenberg	Sykora	Winter
Haake	Krinkie	Ness	Rostberg	Tingelstad	Wolf
Haas	Kuisle	Nornes	Seagren	Tuma	Workman
Hackbarth	Larsen, P.	Olson	Seifert, J.	Van Dellen	Spk. Sviggum
Harder	Lenczewski	Osskopp	Seifert, M.	Vandever	
Hasskamp	Leppik	Ozment	Smith	Wenzel	
Holberg	Lindner	Paulsen	Stanek	Westerberg	

The motion did not prevail and the amendment was not adopted.

Carruthers was excused between the hours of 1:30 p.m. and 3:25 p.m.

Biernat was excused between the hours of 1:35 p.m. and 4:00 p.m.

Mariani moved to amend H. F. No. 1467, the third engrossment, as follows:

Page 48, line 20, delete "\$2,500,000" and insert "\$500,000"

A roll call was requested and properly seconded.

The question was taken on the Mariani amendment and the roll was called. There were 61 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Greenfield	Kalis	Marko	Paymar	Trimble
Bakk	Greiling	Kelliher	McCollum	Pelowski	Tunheim
Carlson	Hasskamp	Koskinen	McGuire	Peterson	Wagenius
Chaudhary	Hausman	Kubly	Milbert	Pugh	Wejcman
Clark, K.	Hilty	Larson, D.	Mullery	Rest	Westerberg
Dawkins	Huntley	Leighton	Munger	Rukavina	Winter
Dehler	Jaros	Lenczewski	Murphy	Schumacher	
Dorn	Jennings	Lieder	Opatz	Skoe	
Entenza	Johnson	Luther	Orfield	Skoglund	
Gleason	Juhnke	Mahoney	Osthoff	Solberg	
Gray	Kahn	Mariani	Otremba	Tomassoni	

Those who voted in the negative were:

Abeler	Buesgens	Erhardt	Gunther	Howes	Lindner
Abrams	Cassell	Erickson	Haake	Kielkucki	Mares
Anderson, B.	Clark, J.	Finseth	Haas	Knoblach	McElroy
Bishop	Daggett	Folliard	Hackbarth	Krinkie	Molnau
Boudreau	Davids	Fuller	Harder	Kuisle	Mulder
Bradley	Dempsey	Gerlach	Holberg	Larsen, P.	Ness
Broecker	Dorman	Goodno	Holsten	Leppik	Nornes

Olson	Reuter	Seifert, J.	Storm	Van Dellen	Wilkin
Osskopp	Rhodes	Seifert, M.	Swenson	Vandever	Wolf
Ozment	Rifenberg	Smith	Sykora	Wenzel	Workman
Paulsen	Rostberg	Stanek	Tingelstad	Westfall	Spk. Sviggum
Pawlenty	Seagren	Stang	Tuma	Westrom	

The motion did not prevail and the amendment was not adopted.

The Speaker called Smith to the Chair.

Chaudhary, McGuire, Mariani and Gray moved to amend H. F. No. 1467, the third engrossment, as follows:

Page 50, after line 2, insert:

"Subd. 3. [TANF CHILD CARE ASSISTANCE FOR FAMILIES ON THE BSF WAITING LIST.] To provide up to two years of child care assistance for families currently on the waiting list for assistance through the basic sliding fee program under 119B.03:

<u>\$27,000,000</u>	<u>2000</u>
<u>\$27,000,000</u>	<u>2001</u>

This is a one time appropriation. Families receiving assistance under this subdivision must be transferred to the regular basic sliding fee program as funding permits. Any balance in the first year does not cancel, but may be carried forward to the second year."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Chaudhary et al amendment and the roll was called. There were 63 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Huntley	Koskinen	Mariani	Opatz
Bakk	Gleason	Jaros	Kubly	Marko	Orfield
Carlson	Gray	Jennings	Larson, D.	McCollum	Osthoff
Chaudhary	Greenfield	Johnson	Leighton	McGuire	Otremba
Clark, K.	Greiling	Juhnke	Lenczewski	Milbert	Paymar
Dawkins	Hasskamp	Kahn	Lieder	Mullery	Pelowski
Dorn	Hausman	Kalis	Luther	Munger	Peterson
Entenza	Hilty	Kelliher	Mahoney	Murphy	Pugh

Rest	Seifert, J.	Solberg	Tunheim	Wenzel
Rukavina	Skoe	Tomassoni	Wagenius	Winter
Schumacher	Skoglund	Trimble	Wejcman	Workman

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	Mares	Rhodes	Tuma
Abrams	Dempsey	Harder	McElroy	Rifenberg	Van Dellen
Anderson, B.	Dorman	Holberg	Molnau	Rostberg	Vandever
Bishop	Erhardt	Holsten	Mulder	Seagren	Westerberg
Boudreau	Erickson	Howes	Ness	Seifert, M.	Westfall
Bradley	Finseth	Kielkucki	Nornes	Smith	Westrom
Broecker	Fuller	Knoblach	Olson	Stanek	Wilkin
Buesgens	Gerlach	Krinkie	Osskopp	Stang	Wolf
Cassell	Goodno	Kuise	Ozment	Storm	Spk. Sviggum
Clark, J.	Gunther	Larsen, P.	Paulsen	Swenson	
Daggett	Haake	Leppik	Pawlenty	Sykora	
Davids	Haas	Lindner	Reuter	Tingelstad	

The motion did not prevail and the amendment was not adopted.

Chaudhary moved to amend H. F. No. 1467, the third engrossment, as follows:

Page 26, lines 16 to 18, restore the stricken language

Page 44, delete section 61

Page 49, line 35, delete "\$32,277,000" and insert "\$38,277,000"

Page 49, line 36, delete "\$32,974,000" and insert "\$38,974,000"

A roll call was requested and properly seconded.

The question was taken on the Chaudhary amendment and the roll was called. There were 61 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Greenfield	Kalis	Marko	Paymar	Trimble
Bakk	Greiling	Kelliher	McCollum	Pelowski	Tunheim
Carlson	Hasskamp	Koskinen	McGuire	Peterson	Wagenius
Chaudhary	Hausman	Kubly	Milbert	Pugh	Wejcman
Clark, K.	Hilty	Larson, D.	Mullery	Rest	Wenzel
Dawkins	Huntley	Leighton	Munger	Rukavina	Winter
Dorn	Jaros	Lenczewski	Murphy	Schumacher	
Entenza	Jennings	Lieder	Opatz	Skoe	
Folliard	Johnson	Luther	Orfield	Skoglund	
Gleason	Juhnke	Mahoney	Osthoff	Solberg	
Gray	Kahn	Mariani	Otremba	Tomassoni	

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	Mares	Rifenberg	Tuma
Abrams	Dempsey	Harder	McElroy	Rostberg	Van Dellen
Anderson, B.	Dorman	Holberg	Molnau	Seagren	Vandever
Bishop	Erhardt	Holsten	Mulder	Seifert, J.	Westerberg
Boudreau	Erickson	Howes	Ness	Seifert, M.	Westfall
Bradley	Finseth	Kielkucki	Nornes	Smith	Westrom
Broecker	Fuller	Knoblach	Olson	Stanek	Wilkin
Buesgens	Gerlach	Krinkie	Osskopp	Stang	Wolf
Cassell	Goodno	Kuisle	Paulsen	Storm	Workman
Clark, J.	Gunther	Larsen, P.	Pawlenty	Swenson	Spk. Sviggum
Daggett	Haake	Leppik	Reuter	Sykora	
Davids	Haas	Lindner	Rhodes	Tingelstad	

The motion did not prevail and the amendment was not adopted.

McGuire moved to amend H. F. No. 1467, the third engrossment, as follows:

Page 50, line 12, increase the fiscal year 2000 TANF transfer for child care development by \$1,000,000

Page 50, line 14, delete "\$300,000" and insert "\$800,000"

Page 50, line 19, delete "\$270,000" and insert "\$770,000"

A roll call was requested and properly seconded.

The question was taken on the McGuire amendment and the roll was called. There were 62 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gray	Kahn	Mariani	Otremba	Tomassoni
Bakk	Greenfield	Kalis	Marko	Paymar	Trimble
Carlson	Greiling	Kelliher	McCollum	Pelowski	Tunheim
Chaudhary	Hasskamp	Koskinen	McGuire	Peterson	Wagenius
Clark, K.	Hausman	Kubly	Milbert	Pugh	Wejcman
Dawkins	Hilty	Larson, D.	Mullery	Rest	Wenzel
Dehler	Huntley	Leighton	Munger	Rukavina	Winter
Dorn	Jaros	Lenczewski	Murphy	Schumacher	
Entenza	Jennings	Lieder	Opatz	Skoe	
Folliard	Johnson	Luther	Orfield	Skoglund	
Gleason	Juhnke	Mahoney	Osthoff	Solberg	

Those who voted in the negative were:

Abeler	Bradley	Daggett	Erickson	Gunther	Holberg
Abrams	Broecker	Davids	Finseth	Haake	Holsten
Anderson, B.	Buesgens	Dempsey	Fuller	Haas	Howes
Bishop	Cassell	Dorman	Gerlach	Hackbarth	Kielkucki
Boudreau	Clark, J.	Erhardt	Goodno	Harder	Knoblach

Krinkie	Molnau	Pawlenty	Seifert, M.	Tingelstad	Wilkin
Kuisle	Mulder	Reuter	Smith	Tuma	Wolf
Larsen, P.	Ness	Rhodes	Stanek	Van Dellen	Workman
Leppik	Nornes	Rifenberg	Stang	Vandever	Spk. Sviggum
Lindner	Olson	Rostberg	Storm	Westerberg	
Mares	Osskopp	Seagren	Swenson	Westfall	
McElroy	Paulsen	Seifert, J.	Sykora	Westrom	

The motion did not prevail and the amendment was not adopted.

Mahoney, Mariani and Gray moved to amend H. F. No. 1467, the third engrossment, as follows:

Page 72, after line 9, insert:

"Sec. 15. [FEDERAL TANF TRANSFER FOR ENERGY ASSISTANCE.]

Subdivision 1. [DEPARTMENT OF CHILDREN, FAMILIES AND LEARNING.] The sums indicated in this section are transferred from the state's federal TANF block grant to the state's federal Title XX block grant, and from there to the state's federal Low-Income Home Energy Assistance block grant, for the programs and the fiscal years designated.

Subd. 2. [ENERGY ASSISTANCE AND WEATHERIZATION PROGRAMS.]

<u>\$3,000,000</u>	<u>2000</u>
<u>\$3,000,000</u>	<u>2001</u>

Of this amount, \$2,000,000 each year is for low-income energy assistance under chapter 119A for eligible families. Of this amount, \$1,000,000 is for the low-income weatherization program under chapter 119A for eligible families. This is a one-time appropriation. Any balance after the first year does not cancel, but is available in the second year."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Mahoney et al amendment and the roll was called. There were 57 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Dorn	Greiling	Jennings	Koskinen	Luther
Bakk	Entenza	Hasskamp	Johnson	Kubly	Mahoney
Carlson	Folliard	Hausman	Juhnke	Larson, D.	Mariani
Chaudhary	Gleason	Hilty	Kahn	Leighton	Marko
Clark, K.	Gray	Huntley	Kalis	Lenczewski	McCollum
Dawkins	Greenfield	Jaros	Kelliher	Lieder	McGuire

Milbert	Orfield	Pugh	Skoglund	Tunheim	Winter
Mullery	Otremba	Rukavina	Solberg	Wagenius	
Munger	Paymar	Schumacher	Tomassoni	Wejcman	
Murphy	Peterson	Skoe	Trimble	Wenzel	

Those who voted in the negative were:

Abeler	Dempsey	Holberg	Mulder	Rostberg	Vandever
Abrams	Dorman	Holsten	Ness	Seagren	Westerberg
Anderson, B.	Erhardt	Howes	Nornes	Seifert, J.	Westfall
Bishop	Erickson	Kielkucki	Olson	Seifert, M.	Westrom
Boudreau	Finseth	Knoblach	Opatz	Smith	Wilkin
Bradley	Fuller	Krinkie	Osskopp	Stanek	Wolf
Broecker	Gerlach	Kuisle	Paulsen	Stang	Workman
Buesgens	Goodno	Larsen, P.	Pawlenty	Storm	Spk. Sviggum
Cassell	Gunther	Leppik	Pelowski	Swenson	
Clark, J.	Haake	Lindner	Rest	Sykora	
Daggett	Haas	Mares	Reuter	Tingelstad	
Dauids	Hackbarth	McElroy	Rhodes	Tuma	
Dehler	Harder	Molnau	Rifenberg	Van Dellen	

The motion did not prevail and the amendment was not adopted.

Clark, K.; Dawkins and Gray moved to amend H. F. No. 1467, the third engrossment, as follows:

Page 72, line 11, delete "sections 119A.46; and" and insert "section"

Page 72, line 12, delete "are" and insert "is"

Amend the title as follows:

Page 1, line 40, delete "119A.46;"

The motion prevailed and the amendment was adopted.

H. F. No. 1467, A bill for an act relating to education; family and early childhood education; providing for children and family support programs, community and systems change, prevention and intervention, and self-sufficiency and lifelong learning; appropriating money; amending Minnesota Statutes 1998, sections 13.46, subdivision 2; 16B.405, subdivision 2; 119A.31, subdivision 1, and by adding a subdivision; 119B.01, subdivisions 1, 2, 10, 12, 12a, 13, 16, 17, and by adding subdivisions; 119B.02, subdivision 1, and by adding subdivisions; 119B.03, subdivisions 1, 2, 3, 4, 6, and 9; 119B.04, subdivision 1; 119B.05, subdivision 1; 119B.06, subdivision 1; 119B.061; 119B.07; 119B.08, subdivision 3; 119B.09, subdivisions 1, 3, and 7; 119B.10, subdivision 1; 119B.11, subdivision 2a; 119B.12, subdivision 2; 119B.13; 119B.14; 119B.15; 119B.18, subdivision 3; 119B.19, subdivision 1, and by adding subdivisions; 119B.20, subdivisions 7, 8, 12, and by adding a subdivision; 119B.21, subdivisions 1, 2, 3, 5, 8, 9, 10, and 11; 119B.23, subdivision 1; 119B.24; 119B.25, subdivision 3; 121A.19; 122A.26, by adding a subdivision; 124D.13, subdivision 2; 124D.135, subdivisions 1 and 3; 124D.19, subdivision 11; 124D.20, subdivision 5; 124D.22; 124D.23, by adding a subdivision; 124D.33, subdivision 3; 124D.52,

subdivision 2, and by adding subdivisions; 124D.53, subdivision 3, and by adding a subdivision; 124D.54, subdivision 1; 125A.35, subdivision 5; 171.29, subdivision 2; 256.01, subdivision 4; 256.045, subdivisions 6, 7, and by adding a subdivision; 256.046, subdivision 1; 256.98, subdivisions 1, 7, and 8; 256.983, subdivisions 3 and 4; and 466.01, subdivision 1; Laws 1997, First Special Session chapter 4, article 1, section 61, subdivisions 2 and 3, as amended; Laws 1998, First Special Session chapter 1, article 1, sections 10 and 11; proposing coding for new law in Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 1998, sections 119B.01, subdivision 15; 119B.03, subdivision 7; 119B.05, subdivisions 6 and 7; 119B.075; 119B.17; 119B.18, subdivisions 1 and 2; 119B.19, subdivisions 3, 4, and 5; 119B.20, subdivisions 1, 2, 3, 4, 5, 6, 9, 10, and 11; 119B.21, subdivisions 4, 6, and 12; 119B.22; 124D.14; and 124D.53, subdivision 6.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 78 yeas and 54 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Hackbarth	Mares	Paulsen	Stang
Abrams	Dempsey	Harder	Mariani	Pawlenty	Storm
Anderson, B.	Dorman	Holberg	McElroy	Peterson	Swenson
Bishop	Erhardt	Holsten	McGuire	Rhodes	Sykora
Boudreau	Erickson	Howes	Molnau	Rifenberg	Tingelstad
Bradley	Finseth	Juhnke	Mulder	Rostberg	Tuma
Broecker	Folliard	Kielkucki	Ness	Schumacher	Westerberg
Buesgens	Fuller	Knoblach	Nornes	Seagren	Westfall
Cassell	Gerlach	Krinkie	Olson	Seifert, J.	Westrom
Clark, J.	Goodno	Kuisle	Osskopp	Seifert, M.	Wilkin
Clark, K.	Gunther	Larsen, P.	Osthoff	Skoe	Wolf
Daggett	Haake	Leppik	Otremba	Smith	Workman
Davids	Haas	Lindner	Ozment	Stanek	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Greenfield	Kahn	Luther	Orfield	Tomassoni
Bakk	Greiling	Kalis	Mahoney	Paymar	Trimble
Carlson	Hasskamp	Kelliher	Marko	Pelowski	Tunheim
Chaudhary	Hausman	Koskinen	McCollum	Pugh	Van Dellen
Dawkins	Hilty	Kubly	Milbert	Rest	Vanderveer
Dorn	Huntley	Larson, D.	Mullery	Reuter	Wagenius
Entenza	Jaros	Leighton	Munger	Rukavina	Wejzman
Gleason	Jennings	Lenczewski	Murphy	Skoglund	Wenzel
Gray	Johnson	Lieder	Opatz	Solberg	Winter

The bill was passed, as amended, and its title agreed to.

FISCAL CALENDAR

Pursuant to rule 1.22, Bishop requested immediate consideration of H. F. No. 2380.

H. F. No. 2380 was reported to the House.

The Speaker resumed the Chair.

Carlson and Seifert, M., moved to amend H. F. No. 2380, the first engrossment, as follows:

Page 2, line 34, delete "116,241,000" and "119,339,000" and insert "112,669,000" and "116,029,000"

Page 2, line 45, delete "\$8,216" and "\$8,380" and insert "\$8,296" and "\$8,546"

Page 2, line 47, delete "\$6,324" and insert "\$6,386"

Page 2, line 48, delete "\$6,450" and insert "\$6,578"

Page 3, line 35, delete "4,678,000" and "4,679,000" and insert "4,828,000" and "4,829,000"

Page 5, line 10, delete "29,169,000" and "54,952,000" and insert "30,880,000" and "56,532,000"

Page 7, line 30, delete "39,163,000" and "66,943,000" and insert "40,874,000" and "68,523,000"

Page 12, line 23, reinstate "47" and delete "46"

Adjust the totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Carlson and Seifert, M., amendment and the roll was called. There were 85 yeas and 47 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Howes	Luther	Pelowski	Sykora
Abrams	Dorn	Huntley	Mahoney	Peterson	Tingelstad
Anderson, I.	Finseth	Jennings	Mares	Pugh	Tomassoni
Bakk	Fuller	Johnson	McCollum	Rest	Trimble
Bishop	Gleason	Juhnke	McGuire	Reuter	Tunheim
Boudreau	Gray	Kahn	Milbert	Rhodes	Wagenius
Carlson	Greenfield	Kalis	Mulder	Rostberg	Wenzel
Carruthers	Greiling	Kelliher	Mullery	Rukavina	Westfall
Cassell	Gunther	Koskinen	Munger	Schumacher	Westrom
Chaudhary	Haake	Kubly	Ness	Seagren	Winter
Clark, J.	Haas	Larson, D.	Nornes	Seifert, M.	
Clark, K.	Harder	Leighton	Opatz	Skoe	
Daggett	Hasskamp	Lenczewski	Orfield	Skoglund	
Davids	Hausman	Leppik	Osthoff	Solberg	
Dempsey	Hilty	Lieder	Ozment	Swenson	

Those who voted in the negative were:

Anderson, B.	Dawkins	Folliard	Holsten	Larsen, P.	Molnau
Biernat	Dehler	Gerlach	Kielkucki	Lindner	Murphy
Bradley	Entenza	Goodno	Knoblach	Mariani	Olson
Broecker	Erhardt	Hackbarth	Krinkie	Marko	Osskopp
Buesgens	Erickson	Holberg	Kuisle	McElroy	Paulsen

Pawlenty	Seifert, J.	Stang	Van Dellen	Westerberg	Workman
Paymar	Smith	Storm	Vandever	Wilkin	Spk. Sviggum
Rifenberg	Stanek	Tuma	Wejcman	Wolf	

The motion prevailed and the amendment was adopted.

Munger was excused for the remainder of today's session.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Bishop announced his intention to place H. F. No. 2333 on the Fiscal Calendar for Monday, April 19, 1999.

FISCAL CALENDAR, Continued

Carlson and Cassell moved to amend H. F. No. 2380, the first engrossment, as amended, as follows:

Page 12, line 29, before the period, insert ", calculated as if the maximum Pell grant were \$3,125"

A roll call was requested and properly seconded.

The question was taken on the Carlson and Cassell amendment and the roll was called. There were 95 yeas and 36 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Hilty	Leppik	Otremba	Solberg
Abrams	Dorman	Howes	Lieder	Ozment	Stanek
Anderson, I.	Dorn	Huntley	Luther	Paymar	Storm
Bakk	Erhardt	Jaros	Mahoney	Pelowski	Tomassoni
Biernat	Finseth	Jennings	Mares	Peterson	Trimble
Boudreau	Folliard	Johnson	Mariani	Pugh	Tunheim
Bradley	Fuller	Juhnke	Marko	Rest	Vandever
Carlson	Gleason	Kahn	McCollum	Reuter	Wagenius
Carruthers	Gray	Kalis	McGuire	Rhodes	Wejcman
Cassell	Greenfield	Kelliher	Milbert	Rostberg	Wenzel
Chaudhary	Greiling	Knoblach	Mulder	Rukavina	Westfall
Clark, J.	Gunther	Koskinen	Mullery	Schumacher	Westrom
Clark, K.	Haas	Kubly	Ness	Seifert, M.	Winter
Daggett	Harder	Larson, D.	Nornes	Skoe	Wolf
Davids	Hasskamp	Leighton	Opatz	Skoglund	Spk. Sviggum
Dawkins	Hausman	Lenczewski	Orfield	Smith	

Those who voted in the negative were:

Anderson, B.	Buesgens	Erickson	Haake	Holsten	Kuisle
Bishop	Dehler	Gerlach	Hackbarth	Kielkucki	Larsen, P.
Broecker	Entenza	Goodno	Holberg	Krinkie	Lindner

McElroy	Olson	Pawlenty	Seifert, J.	Sykora	Westerberg
Molnau	Osskopp	Rifenberg	Stang	Tingelstad	Wilkin
Murphy	Paulsen	Seagren	Swenson	Tuma	Workman

The motion prevailed and the amendment was adopted.

Gray was excused for the remainder of today's session.

Greenfield and Huntley moved to amend H. F. No. 2380, the first engrossment, as amended, as follows:

Page 17, after line 4, insert:

"Sec. 14. [137.44] [HEALTH PROFESSIONAL EDUCATION AND MEDICAL RESEARCH ENDOWMENT FUND.]

Subdivision 1. [CONDITION; APPROPRIATION.] If the board of regents accepts the funding under this subdivision, it shall comply with this section. The commissioner of finance shall credit to the board of regents for the health professional education and medical research endowment fund the tobacco settlement payments received by the state on January 2, 2002 and January 2, 2003, as a result of the settlement of the lawsuit styled as State v. Philip Morris Incorporated, No. C1-94-8565.

Subd. 2. [ESTABLISHMENT; PURPOSE; ADMINISTRATION.] The board of regents shall establish the health professional education and medical research endowment fund solely to support health professional education programs at the university academic health center and medical research at the university and the Mayo foundation. The board of regents shall administer the fund. All earnings including income and appreciation of the endowment fund must be credited to the fund.

Subd. 3. [INVESTMENT MANAGEMENT.] (a) The board of regents shall transfer the endowment fund money to the Minnesota medical foundation, which shall be responsible for managing the investment of the endowment fund according to this section.

(b) The Minnesota medical foundation shall manage the investment of the endowment fund as follows:

(1) all endowment fund assets including income and appreciation shall be placed in a separate account;

(2) the endowment fund shall be audited annually by an independent auditor;

(3) the endowment fund shall be invested and managed according to rules applicable to trust investments as provided in the Minnesota Prudent Investor Act, sections 501B.151 and 501B.152;

(4) reasonable and necessary administrative and investment expenses directly associated with the management and investment of the endowment fund may be recovered from the endowment fund; and

(5) the Minnesota medical foundation shall transfer assets from the endowment fund for purposes consistent with this section as directed by the board of regents, including the return of the entire balance in the endowment fund on July 1, 2009, to the board of regents.

(c) The board of regents shall in its discretion establish an annual appropriation from the endowment fund, not to exceed five percent of the fair market value of all assets held in the endowment fund as of the first day of the calendar year.

(d) The amount of the annual appropriation determined in paragraph (c) shall be distributed as directed by the board of regents for the purposes of the endowment fund according to subdivision 2.

Subd. 4. [ADVISORY BOARD.] (a) The board of regents shall appoint an advisory board to consult with the senior vice-president for health sciences in making budget recommendations regarding the annual appropriation from the endowment fund.

(b) The advisory board shall consist of seven members, one of which shall be the commissioner of health. The other members shall be Minnesota residents, selected in equal number to represent the interests of health care consumers and providers.

Subd. 5. [BUDGETING ANNUAL APPROPRIATION.] (a) The board of regents shall adopt an annual budget for the use of the annual appropriation from the endowment fund. In each year, funds shall be specifically budgeted for the instructional costs of health professional education programs at the university academic health center and its affiliated teaching hospitals, and for medical research at the University of Minnesota and the Mayo foundation.

(b) Seventy-five percent of the annual appropriation from the endowment fund shall be budgeted for the instructional costs of health professional education programs of the university academic health center and its affiliated teaching hospitals.

(c) 8.33 percent of the annual appropriation from the endowment fund shall be budgeted for medical research costs at the university and is available only if matched dollar-for-dollar by nonstate funds.

(d) 8.33 percent of the annual appropriation from the endowment fund shall be transferred annually by the board of regents to the Mayo foundation for medical research costs and is available only if matched dollar-for-dollar by nonstate funds.

(e) 8.34 percent of the annual appropriation from the endowment fund shall be budgeted by the board of regents for the purpose of collaborative medical research between the university and the Mayo foundation and is available only if matched dollar-for-dollar with nonstate funds. Notwithstanding the provisions of subdivision 4, paragraph (a), the board of regents and the Mayo foundation shall jointly establish a collaborative medical research committee to evaluate and select collaborative research projects and award funds specifically budgeted for collaborative medical research projects. The collaborative medical research committee shall consist of five members, one of whom shall be the commissioner of health. The board of regents and the Mayo foundation shall each appoint two members to the committee.

Subd. 6. [ANNUAL REPORT.] (a) The board of regents in consultation with the Mayo foundation shall annually prepare a report detailing how the annual appropriation is budgeted and the amounts and purposes for which it is expended.

(b) The board of regents shall include the following in the biennial budget document submitted to the governor and legislature:

(1) endowment fund annual reports for the two most recent fiscal years completed; and

(2) a discussion of forecasted endowment fund income and planned expenditures for the coming biennium.

Subd. 7. [SUNSET.] The endowment fund expires July 1, 2012, at which time the board of regents shall return to the tobacco settlement fund the balance in the endowment fund on July 1, 2012."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Greenfield and Huntley amendment and the roll was called. There were 50 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Bakk	Folliard	Johnson	Mahoney	Otremba	Solberg
Biernat	Gleason	Juhnke	Mariani	Paymar	Trimble
Carlson	Greenfield	Kahn	Marko	Pelowski	Wagenius
Carruthers	Greiling	Kelliher	McCollum	Pugh	Wejman
Chaudhary	Hausman	Koskinen	McGuire	Rest	Winter
Clark, K.	Hilty	Kubly	Mullery	Rukavina	
Dawkins	Huntley	Leighton	Murphy	Schumacher	
Dorn	Jaros	Lieder	Opatz	Skoe	
Entenza	Jennings	Luther	Orfield	Skoglund	

Those who voted in the negative were:

Abeler	Dempsey	Holberg	McElroy	Rhodes	Tuma
Abrams	Dorman	Holsten	Milbert	Rifenberg	Tunheim
Anderson, B.	Erhardt	Howes	Molnau	Rostberg	Van Dellen
Anderson, I.	Erickson	Kalis	Mulder	Seagren	Vandever
Bishop	Finseth	Kielkucki	Ness	Seifert, J.	Wenzel
Boudreau	Fuller	Knoblach	Nornes	Seifert, M.	Westerberg
Bradley	Gerlach	Krinkie	Olson	Smith	Westfall
Broecker	Goodno	Kuisle	Osskopp	Stanek	Westrom
Buesgens	Gunther	Larsen, P.	Osthoff	Stang	Wilkin
Cassell	Haake	Larson, D.	Ozment	Storm	Wolf
Clark, J.	Haas	Lenczewski	Paulsen	Swenson	Workman
Daggett	Hackbarth	Leppik	Pawlenty	Sykora	Spk. Sviggum
Davids	Harder	Lindner	Peterson	Tingelstad	
Dehler	Hasskamp	Mares	Reuter	Tomassoni	

The motion did not prevail and the amendment was not adopted.

Lieder was excused for the remainder of today's session.

Pugh and Leighton moved to amend H. F. No. 2380, the first engrossment, as amended, as follows:

Page 7, delete lines 37 to 55

Page 16, delete section 13

Re-number the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Pugh and Leighton amendment and the roll was called. There were 51 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gleason	Juhnke	Mahoney	Paymar	Tomassoni
Bakk	Greenfield	Kahn	Mariani	Pelowski	Trimble
Biernat	Greiling	Kalis	Marko	Peterson	Tunheim
Carlson	Hausman	Koskinen	McCollum	Pugh	Wagenius
Chaudhary	Hilty	Kubly	McGuire	Rukavina	Wejzman
Clark, K.	Holberg	Larson, D.	Milbert	Schumacher	Winter
Dawkins	Huntley	Leighton	Mullery	Skoe	
Dorn	Jennings	Lenczewski	Orfield	Skoglund	
Entenza	Johnson	Luther	Osthoff	Storm	

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	Mares	Pawlenty	Sykora
Abrams	Dempsey	Harder	McElroy	Rest	Tingelstad
Anderson, B.	Dorman	Haskamp	Molnau	Reuter	Tuma
Bishop	Erhardt	Holsten	Mulder	Rhodes	Van Dellen
Boudreau	Erickson	Howes	Murphy	Rifenberg	Vandever
Bradley	Finseth	Jaros	Ness	Rostberg	Wenzel
Broecker	Folliard	Kielkucki	Nornes	Seagren	Westerberg
Buesgens	Fuller	Knoblach	Olson	Seifert, J.	Westfall
Carruthers	Gerlach	Krinkie	Opatz	Seifert, M.	Westrom
Cassell	Goodno	Kuise	Osskopp	Smith	Wilkin
Clark, J.	Gunther	Larsen, P.	Otremba	Stanek	Wolf
Daggett	Haake	Leppik	Ozment	Stang	Workman
Davids	Haas	Lindner	Paulsen	Swenson	Spk. Sviggum

The motion did not prevail and the amendment was not adopted.

Opatz moved to amend H. F. No. 2380, the first engrossment, as amended, as follows:

Page 7, after line 28, insert:

"The board of regents is requested to support the development of a higher education policy research center to study, analyze and make recommendations on higher education issues and trends and to collect and disseminate higher education data to policy makers in the state. The boards and institutions of the Minnesota state colleges and universities shall, and the Minnesota private colleges are requested to, cooperate and collaborate in the development of the center."

The motion prevailed and the amendment was adopted.

Pelowski moved to amend H. F. No. 2380, the first engrossment, as amended, as follows:

Page 4, after line 44, insert:

"The board is requested to prepare and present future budget requests in a campus based format so that the legislature may understand the need for and the effect of funding and allocation decisions on each MnSCU college and university."

The motion prevailed and the amendment was adopted.

Mariani was excused for the remainder of today's session.

Wenzel and Hasskamp moved to amend H. F. No. 2380, the first engrossment, as amended, as follows:

Page 5, after line 20, insert:

"The board is encouraged to provide resources to Central Lakes College to add a permanent occupational skills instructor in order to provide job training and skills to a larger population of disabled students and to create a model program that can assist other MnSCU colleges in developing similar programs."

The motion prevailed and the amendment was adopted.

Jennings and Hilty moved to amend H. F. No. 2380, the first engrossment, as amended, as follows:

Page 6, delete lines 45 to 49 and insert:

"\$300,000 is appropriated in fiscal year 2000 from the general fund to the board of trustees of the Minnesota state colleges and universities to provide start-up funds for a virtual reality center at Pine technical college."

A roll call was requested and properly seconded.

The question was taken on the Jennings and Hilty amendment and the roll was called. There were 56 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Carlson	Clark, K.	Entenza	Greenfield	Hilty
Bakk	Carruthers	Dawkins	Folliard	Greiling	Huntley
Biernat	Chaudhary	Dorn	Gleason	Hausman	Jaros

Jennings	Kubly	McGuire	Otremba	Schumacher	Wagenius
Johnson	Larson, D.	Milbert	Paymar	Skoe	Wejcman
Juhnke	Leighton	Mullery	Pelowski	Skoglund	Winter
Kahn	Luther	Murphy	Peterson	Solberg	
Kalis	Mahoney	Opatz	Pugh	Tomassoni	
Kelliher	Marko	Orfield	Rostberg	Trimble	
Koskinen	McCollum	Osthoff	Rukavina	Tunheim	

Those who voted in the negative were:

Abeler	Dempsey	Hasskamp	McElroy	Rifenberg	Vandever
Abrams	Dorman	Holberg	Molnau	Seagren	Wenzel
Anderson, B.	Erhardt	Holsten	Mulder	Seifert, J.	Westerberg
Bishop	Erickson	Howes	Ness	Seifert, M.	Westfall
Boudreau	Finseth	Kielkucki	Nornes	Smith	Westrom
Bradley	Fuller	Knoblach	Olson	Stanek	Wilkin
Broecker	Gerlach	Krinkie	Osskopp	Stang	Wolf
Buesgens	Goodno	Kuisle	Ozment	Storm	Workman
Cassell	Gunther	Larsen, P.	Paulsen	Swenson	Spk. Sviggum
Clark, J.	Haake	Lenczewski	Pawlenty	Sykora	
Daggett	Haas	Leppik	Rest	Tingelstad	
Davids	Hackbarth	Lindner	Reuter	Tuma	
Dehler	Harder	Mares	Rhodes	Van Dellen	

The motion did not prevail and the amendment was not adopted.

Lenczewski moved to amend H. F. No. 2380, the first engrossment, as amended, as follows:

Page 6, delete lines 45 to 49

A roll call was requested and properly seconded.

The question was taken on the Lenczewski amendment and the roll was called. There were 56 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Johnson	Luther	Osthoff	Solberg
Bakk	Gleason	Juhnke	Mahoney	Otremba	Tomassoni
Biernat	Greenfield	Kahn	Marko	Paymar	Tunheim
Carlson	Greiling	Kalis	McCollum	Pelowski	Wagenius
Carruthers	Hasskamp	Kelliher	McGuire	Peterson	Wejcman
Chaudhary	Hausman	Koskinen	Milbert	Pugh	Winter
Clark, K.	Hilty	Kubly	Mullery	Rest	
Dawkins	Huntley	Larson, D.	Murphy	Rukavina	
Dorn	Jaros	Leighton	Opatz	Schumacher	
Entenza	Jennings	Lenczewski	Orfield	Skoglund	

Those who voted in the negative were:

Abeler	Bishop	Broecker	Clark, J.	Dehler	Erhardt
Abrams	Boudreau	Buesgens	Daggett	Dempsey	Erickson
Anderson, B.	Bradley	Cassell	Davids	Dorman	Finseth

Fuller	Howes	Molnau	Rhodes	Storm	Westrom
Gerlach	Kielkucki	Mulder	Rifenberg	Swenson	Wilkin
Goodno	Knoblach	Ness	Rostberg	Sykora	Wolf
Gunther	Krinkie	Nornes	Seagren	Tingelstad	Workman
Haake	Kuisle	Olson	Seifert, J.	Trimble	Spk. Sviggum
Haas	Larsen, P.	Osskopp	Seifert, M.	Tuma	
Hackbarth	Leppik	Ozment	Skoe	Van Dellen	
Harder	Lindner	Paulsen	Smith	Vandever	
Holberg	Mares	Pawlenty	Stanek	Westerberg	
Holsten	McElroy	Reuter	Stang	Westfall	

The motion did not prevail and the amendment was not adopted.

The Speaker called Abrams to the Chair.

Opatz moved to amend H. F. No. 2380, the first engrossment, as amended, as follows:

Page 5, after line 35, insert:

"If the board decides to invest state appropriations in programs to increase teachers of color and urban teachers, the board shall first make investments in existing programs, wherever feasible, as part of its metropolitan plan."

A roll call was requested and properly seconded.

The question was taken on the Opatz amendment and the roll was called. There were 110 yeas and 18 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorn	Holsten	Mahoney	Pelowski	Swenson
Abrams	Entenza	Howes	Mares	Peterson	Sykora
Anderson, B.	Erhardt	Huntley	Marko	Pugh	Tingelstad
Anderson, I.	Erickson	Jaros	McCollum	Rest	Tomassoni
Bakk	Finseth	Jennings	McGuire	Reuter	Tunheim
Biernat	Folliard	Johnson	Milbert	Rhodes	Van Dellen
Bishop	Fuller	Juhnke	Molnau	Rifenberg	Vandever
Boudreau	Gerlach	Kahn	Mulder	Rostberg	Wagenius
Bradley	Gleason	Kalis	Mullery	Rukavina	Wejzman
Broecker	Goodno	Kelliher	Murphy	Schumacher	Wenzel
Buesgens	Greenfield	Knoblach	Ness	Seagren	Westfall
Carlson	Greiling	Koskinen	Nornes	Seifert, J.	Wilkin
Carruthers	Gunther	Kubly	Olson	Seifert, M.	Winter
Chaudhary	Haas	Larson, D.	Opatz	Skoe	Wolf
Clark, J.	Hackbarth	Leighton	Orfield	Skoglund	Workman
Clark, K.	Harder	Lenczewski	Otremba	Smith	
Daggett	Hasskamp	Leppik	Ozment	Solberg	
Dawkins	Hausman	Lindner	Pawlenty	Stanek	
Dorman	Hilty	Luther	Paymar	Storm	

Those who voted in the negative were:

Cassell	Dempsey	Kielkucki	Larsen, P.	Stang	Westerberg
Davids	Haake	Krinkie	Osskopp	Trimble	Westrom
Dehler	Holberg	Kuisle	Paulsen	Tuma	Spk. Sviggum

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Kahn; Munger; Opatz; Jaros; Gray; Rukavina; Otremba; Tunheim; Hausman; Kalis; Wenzel; Juhnke; Mahoney; Cassell; Hilty; Marko; Dehler; Anderson, B.; Peterson; Clark, J.; Greiling; Huntley; Osskopp; Trimble; Dorn; Kubly; Jennings; Gunther; Entenza; Murphy; Nornes and Rostberg moved to amend H. F. 2380, the first engrossment, as amended, as follows:

Page 8, after line 46, insert:

"Notwithstanding Minnesota Statutes 1998, sections 18.75 to 18.87 and chapter 152, for the biennium the University of Minnesota may grow and maintain experimental and demonstration plots of industrial hemp for noninjurious commercial uses in order to develop optimal agricultural practices for production of this crop in Minnesota. If the University applies, the commissioner of agriculture shall issue a permit to the University for this purpose. This paragraph is contingent on receiving a permit from the federal Drug Enforcement Agency. The University shall cooperate with law enforcement agencies in providing information and testing on the plots."

A roll call was requested and properly seconded.

The question was taken on the Kahn et al amendment and the roll was called. There were 62 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dorn	Jennings	Marko	Paymar	Tuma
Anderson, I.	Entenza	Johnson	McCollum	Peterson	Tunheim
Bakk	Finseth	Juhnke	McGuire	Pugh	Wagenius
Biernat	Gleason	Kahn	Milbert	Rostberg	Wejcman
Carruthers	Greenfield	Kalis	Mullery	Rukavina	Wenzel
Cassell	Greiling	Kelliher	Murphy	Schumacher	Westfall
Clark, J.	Gunther	Krinkie	Nornes	Skoe	Winter
Clark, K.	Hausman	Kubly	Opatz	Skoglund	
Dawkins	Hilty	Leighton	Orfield	Solberg	
Dehler	Huntley	Luther	Osskopp	Tomassoni	
Dorman	Jaros	Mahoney	Otremba	Trimble	

Those who voted in the negative were:

Abeler	Erhardt	Holberg	Lindner	Reuter	Sykora
Abrams	Erickson	Holsten	Mares	Rhodes	Tingelstad
Bishop	Folliard	Howes	McElroy	Rifenberg	Van Dellen
Boudreau	Fuller	Kielkucki	Molnau	Seagren	Vandever
Bradley	Gerlach	Knoblach	Mulder	Seifert, J.	Westerberg
Broecker	Goodno	Koskinen	Ness	Seifert, M.	Westrom
Buesgens	Haake	Kuisle	Osthoff	Smith	Wilkin
Carlson	Haas	Larsen, P.	Paulsen	Stanek	Wolf
Chaudhary	Hackbarth	Larson, D.	Pawlenty	Stang	Workman
Daggett	Harder	Lenczewski	Pelowski	Storm	Spk. Sviggum
Dempsey	Hasskamp	Leppik	Rest	Swenson	

The motion did not prevail and the amendment was not adopted.

H. F. No. 2380, A bill for an act relating to education; appropriating money for education and related purposes to the higher education services office, board of trustees of the Minnesota state colleges and universities, board of regents of the University of Minnesota, and the Mayo medical foundation, with certain conditions; modifying certain conditions for the Minnesota state colleges and universities; clarifying requirements for student conduct policy; modifying programs that promote college affordability; modifying provisions relating to regent selection and recruitment; authorizing board of regents to establish a branch campus in Rochester; clarifying and changing requirements for private career schools; providing for rulemaking; amending Minnesota Statutes 1998, sections 16B.465, subdivision 4; 135A.155; 136A.031, subdivision 3; 136A.121, subdivisions 5 and 6; 136A.125, subdivision 4; 136F.02, subdivision 2; 136F.04, subdivision 1; 136F.22, subdivision 1; 136F.32, subdivision 2, and by adding a subdivision; 137.0245, subdivision 4; 141.21, subdivisions 3, 5, 6, and by adding subdivisions; 141.22; 141.25, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, 10, and 12; 141.26, subdivision 2; 141.271, subdivisions 1, 2, 3, 4, 5, 6, and 12; 141.28, subdivisions 3 and 5; 141.29, subdivision 1; 141.31; 141.32; 141.35; and 471.59, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 137; and 141; repealing Minnesota Statutes 1998, sections 136A.1359; 136A.136; 141.25, subdivisions 9a, 9b, and 11; and 141.36.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 104 yeas and 26 nays as follows:

Those who voted in the affirmative were:

Abeler	Clark, K.	Haas	Koskinen	Mullery	Rostberg
Abrams	Daggett	Hackbarth	Kubly	Murphy	Rukavina
Anderson, B.	Davids	Harder	Kuisle	Ness	Schumacher
Anderson, I.	Dehler	Hasskamp	Larsen, P.	Nornes	Seagren
Bakk	Dempsey	Hilty	Leighton	Opatz	Seifert, J.
Biernat	Dorman	Holsten	Leppik	Orfield	Seifert, M.
Bishop	Dorn	Howes	Luther	Osthoff	Skoe
Boudreau	Erhardt	Huntley	Mahoney	Otremba	Skoglund
Bradley	Erickson	Jaros	Mares	Ozment	Smith
Broecker	Finseth	Johnson	Marko	Paymar	Solberg
Carlson	Folliard	Juhnke	McCollum	Pelowski	Stanek
Carruthers	Fuller	Kalis	McElroy	Peterson	Stang
Cassell	Goodno	Kelliher	Milbert	Pugh	Storm
Chaudhary	Gunther	Kielkucki	Molnau	Rhodes	Swenson
Clark, J.	Haake	Knoblach	Mulder	Rifenberg	Sykora

Tingelstad	Tuma	Wenzel	Westrom	Workman
Tomassoni	Tunheim	Westerberg	Winter	Spk. Sviggum
Trimble	Vandev eer	Westfall	Wolf	

Those who voted in the negative were:

Buesgens	Greenfield	Kahn	McGuire	Rest	Wilkin
Dawkins	Greiling	Krinkie	Olson	Reuter	
Entenza	Hausman	Larson, D.	Osskopp	Van Dellen	
Gerlach	Holberg	Lenczewski	Paulsen	Wagenius	
Gleason	Jennings	Lindner	Pawlenty	Wejzman	

The bill was passed, as amended, and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pawlenty from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day, immediately following the remaining bills on the Calendar for the Day, for Friday, April 16, 1999:

S. F. Nos. 1218, 1471, 1463 and 480; H. F. No. 949; and S. F. Nos. 1368 and 556.

CALENDAR FOR THE DAY

Pawlenty moved that the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Paulsen moved that his name be stricken as an author on H. F. No. 2134. The motion prevailed.

Stanek moved that H. F. No. 238, now on the General Register, be re-referred to the Committee on Judiciary Finance. The motion prevailed.

McElroy moved that H. F. No. 616, now on the General Register, be re-referred to the Committee on Taxes. The motion prevailed.

ADJOURNMENT

Pawlenty moved that when the House adjourns today it adjourn until 12:00 noon, Monday, April 19, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Monday, April 19, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives